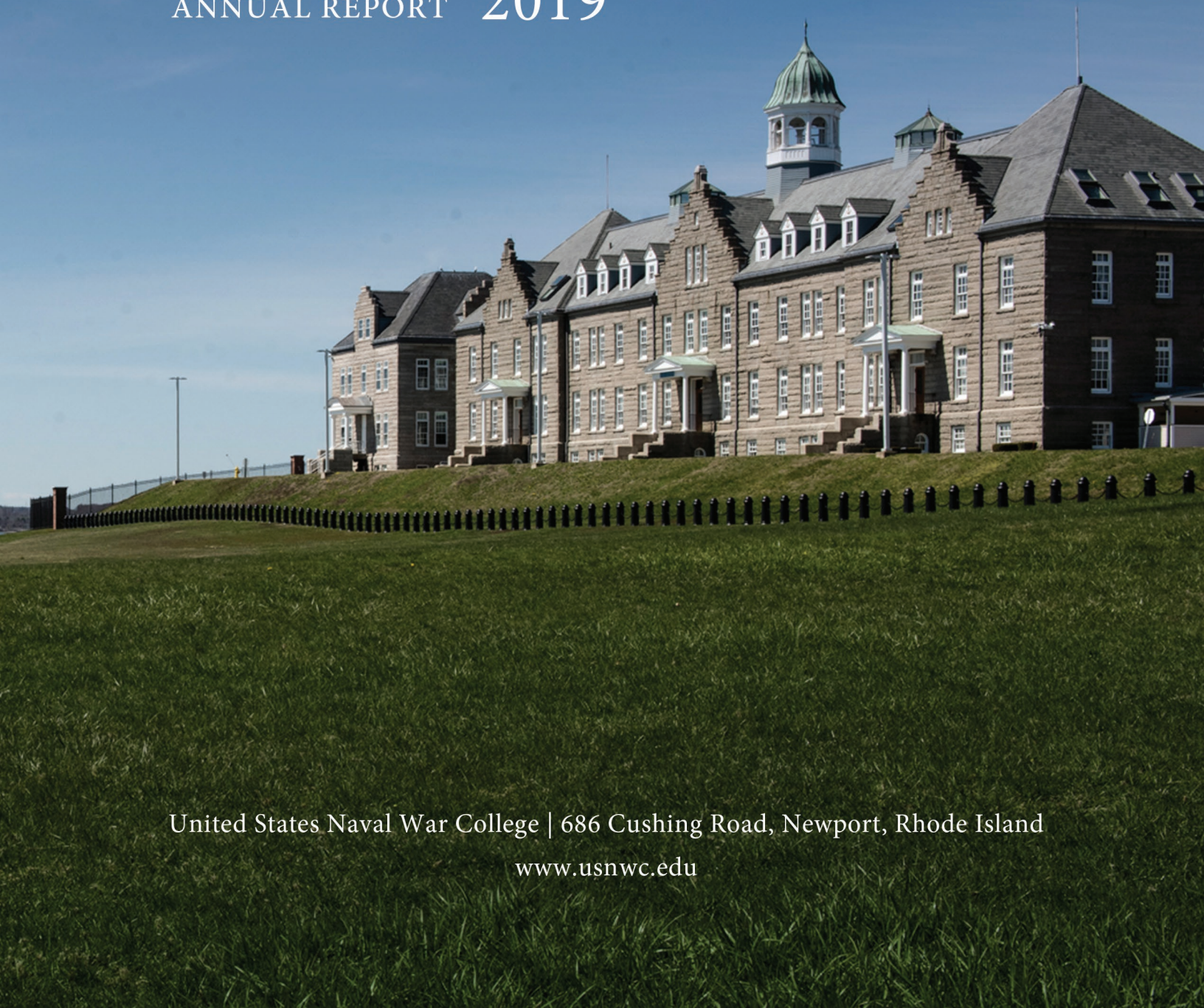




U.S. NAVAL WAR COLLEGE
Est. 1884
NEWPORT, RHODE ISLAND

Stockton Center for International Law

ANNUAL REPORT 2019



United States Naval War College | 686 Cushing Road, Newport, Rhode Island
www.usnwc.edu

STOCKTON CENTER FOR INTERNATIONAL LAW 2019 ANNUAL REPORT

Contact Information

Stockton Center for International Law
Center for Naval Warfare Studies
636 Cushing Road
Newport, RI 02841
401-841-4949



RADM Charles Herbert Stockton, USN

TABLE OF CONTENTS

4

Mission
2019 Faculty and Staff

6

Law of Armed Conflict
Law of the Sea and Law of Naval Warfare

7

Educate and Develop Future Leaders

8

The International Law of Airspace, Outer Space,
and Cyber Operations
Workshops and Conferences

10

Stockton Seminars

12

Selected Publications

19

Africa Maritime Security Primer
Academic Service

22

Engagement Calendar 2019

27

International Law Studies

28

Feature Articles

LETTER FROM THE CHAIRMAN



The Stockton Center for International Law continued to expand our programs and scholarship to educate future leaders, inform practitioners and scholars, and shape the trajectory of international law of military operations. In 2019, we were closely involved with four military manuals: The Tallinn Manual 2.0 on the International Law Applicable to Cyber Operations, the San Remo Manual on International Law Applicable to Armed

Conflicts at Sea, the Woomera Manual on the International Law of Military Space Operations, and the Commander’s Handbook on the Law of Naval Operations. These commentaries and restatements of international law are leading authorities on the operation of the Naval, Joint and Combined force. We were also honored to host Commander Yusuke Saito and Commander Koichi Ishii as visiting professors of international law from the Operational Law Office of the College of Command and Staff of the Japan Maritime Self Defense Force. This close relationship is emblematic of the Stockton Center’s continuous engagement with partner nations throughout the world to deepen the commitment and implementation of the rule of law in military operations in peacetime and during armed conflict. We look forward to further collaboration with armed forces, think tanks, and law schools to advance the progressive development of international law.

A handwritten signature in black ink that reads "James Kraska". The signature is fluid and cursive.

JAMES KRASKA
Chair and Charles H. Stockton Professor of
International Maritime Law

MISSION

The Stockton Center for International Law (SCIL) is a department in the Center for Naval Warfare Studies that produces original analysis of international law and military operations to educate and inform military leaders, national decision makers, and international law practitioners and scholars, and shape legal interpretations affecting U.S. and partner nation forces throughout the world.

2019 FACULTY AND STAFF

Professor James Kraska

Chair and Charles H. Stockton Professor of International Maritime Law

Lieutenant Colonel John Cherry

U.S. Marine Corps, Deputy Director and Military Professor of International Law

Claudia Cooper

Operations Officer

Professor Michael Schmitt

Howard S. Levie Professor of Law and Armed Conflict

John Hursh

Managing Editor, International Law Studies

Captain (ret.) Arthur Thomas, JAGC, U.S. Navy

Senior Editor, International Law Studies

Commander David Lee

U.S. Navy, Associate Director of Maritime Operations and Military Professor of International Law

Commander David Dubay

U.S. Coast Guard, Military Professor of International Law

Commander Yusuke Saito

Japanese Maritime Self-Defense Force, Military Professor of International Law

Commander Koichi Ishii

Japanese Maritime Self-Defense Force, Military Professor of International Law

Lieutenant Colonel Jeremy Davis

U.S. Air Force, Associate Director of Air, Space and Cyberspace Operations, Military Professor of International Law

Squadron Leader Kieran Tinkler

Royal Air Force, Military Professor of International Law

Lieutenant Colonel Jeffrey Biller

U.S. Air Force, Military Professor of International Law

Lieutenant Colonel Michael Rizzotti

U.S. Army, Associate Director of Land Operations, Military Professor of International Law

Lieutenant Colonel Durward Johnson

U.S. Army, Military Professor of International Law

Major Jonathan Griffiths

British Army Legal Services, Military Professor of International Law

EDUCATE AND DEVELOP FUTURE LEADERS

SCIL teaches a three-course series that comprises the International Law Area of Study (AOS) in the Electives program. It consists of: (1) International Law of Armed Conflict; (2) International Law of the Sea and Law of Naval Warfare; and (3) International Law of Airspace, Outer Space and Cyberspace. SCIL faculty also support the international law curriculum in the core curriculum, including the Joint Military Operations Department and other electives at the Naval War College. Additionally, SCIL engages in educational outreach to external U.S. and international military and defense institutions.

LAW OF ARMED CONFLICT

This elective addresses a range of legal issues facing commanders and their staffs in the context of planning and executing military operations in accordance with the law of armed conflict, including the principles of necessity, proportionality, distinction, and humanity. Topics include the history, development, and sources of the law; classification of armed conflicts, jus ad bellum (i.e., states resort to use the use of force); targeting and means and methods of warfare; rules of engagement, war crimes and command responsibility, detention operations, and persons on the battlefield

LAW OF THE SEA AND LAW OF NAVAL WARFARE

This elective provides an in-depth understanding of how oceans law affects—and often shapes—the maritime security, the exercise of seapower and naval operations in peacetime and during armed conflict. Topics include the law of the sea, the law of naval warfare and regional issues, such as the Arctic region and the South China Sea.



Lieutenant Colonel Michael Rizzotti, United States Army, delivers a presentation on private military security contractors in armed conflict at the International Society for Military Law and the Law of Wars' XIIth Seminar for Legal Advisors of the Armed Forces in Geneva, Switzerland.

THE INTERNATIONAL LAW OF AIRSPACE, OUTER SPACE, AND CYBER OPERATIONS

This elective examines key areas of international law in the airspace, outer space, and cyberspace applicable in military operations during peacetime and in armed conflict. Topics include state responsibility, sovereignty, airspace regulation (including exclusion and identification zones), use of force and armed attack in cyberspace, economic targeting, autonomous weapons, and the intersection of international humanitarian law and human rights law.

WORKSHOPS & CONFERENCES

The Stockton Center annually hosts legal research workshops on emergent issues drawing many of the world's leading international law experts.

In 2019 SCIL hosted the following Workshops & Conferences:



Patrick Cronin, Asia-Pacific Security Chair at Hudson Institute, gives a keynote address during the International Law and Korean Security conference held at U.S. Naval War College's Stockton Center for International Law February 26-27, 2019.

Korean Security and International Law Conference

26–27 February 2019

Co-sponsored by the Korea Institute of Ocean Science and Technology and the Korea Maritime Institute, this event explored legal issues associated with weapons of mass destruction and Peninsula conflict contingencies. Attendees included international experts from academia, think tanks, government, nongovernmental organizations, members of the U.S. armed forces and representatives from partner armed forces.

United States Consultative Meeting for the Revision of the San Remo Manual Applicable to Armed Conflicts at Sea

17–18 December 2019

The U.S. Consultative Meeting coordinated revisions of the San Remo Manual for the U.S. armed forces, and included representatives from the United States, U.S. Allies, and partner nations.

International Law Situations on Targeting and Land Warfare

24–26 June

The SCIL hosted a workshop to analyze the law of armed conflict and its application to targeting scenarios in land operations. The workshop included experts from U.S. Central Command, U.S. Joint Special Operations Command, key U.S. allies, and academia.

Master Class on the Law of the Sea and the Law of Naval Warfare

29 July–1 August

The Master Class provided in-depth, interactive analysis of the most challenging security issues faced by states in the maritime domain, including the South China Sea, East China Sea, Kerch Strait and Sea of Azov, North Korea IUU fishing and UN Security Council sanctions enforcement, Yemen operations, and stateless vessels in maritime law enforcement.

Japanese Territory and International Law

The SCIL hosted a delegation from the Cabinet Office of Japan and a group of U.S. and Japanese law professors to explore the territorial claims of Japan and its neighbors.

4th Annual Naval War College-JMSDF Workshop on International Law

Co-sponsored by the Operational Law Office, Command and Staff College, Japan Maritime Self Defense Force, this workshop focused on intractable problems in international law confronting the US/Japan Alliance including the regimes of outer space, cyberspace, the law of naval warfare, UN Security Council enforcement sanctions against North Korea, legal challenges to Japanese territory, including gray zone challenges in the Senkaku Islands.

STOCKTON SEMINARS

The Stockton Seminar Series is designed to highlight particular areas of the law. Presentations for the seminar series are drawn from issues across the government and academic international legal communities.

In 2019, the SCIL hosted the following seminars:



Trevor Rush, supervisory associate counsel, U.S. Military Sealift Command, discusses the status of auxiliaries and civilians aboard warships during a U.S. consultative meeting for the revision of the “San Remo Manual on International Law Applicable to Conflicts at Sea” held at U.S. Naval War College’s Stockton Center for International Law, Dec. 17, 2019.

David Letts and Donald Rothwell **Australian National University**

Professor Letts and Professor Rothwell spoke on key law of the sea issues that currently exist in South East Asia and related areas of the Asia Pacific, especially in light of the 2016 South China Sea arbitration.

Paulo Busco **Barrister and Legal Consultant to UAE Minister of State for Foreign Affairs**

Mr. Busco spoke on the international legal dimension of the response to the migration flows in the Mediterranean Sea.

Asaf Lubin **Affiliate at the Berkman Klein Center for Internet and Society, Harvard University**

Mr. Lubin spoke on Intelligence Operations and International Law.

Lynn Kuok **Yale Law School**

Dr. Kuok spoke on the South China Sea dispute.

Ben Saul **Harvard Law School/University of Sydney International Law**

Professor Saul spoke on the suppression of foreign terrorist fighters (including the interface with IHL); and how non-state armed groups in non-international armed conflicts create their own “law” and legal institutions for governing civilians / administering territory under their control.

Elena Bernini **University of Oxford**

Ms. Bernini discussed the human rights of Vietnamese fishermen and issues related to Vietnam’s fishing industry and China

Hideshi Tokuchi **Former Vice Minister of Defense of Japan**

Mr. Tokuchi spoke on the threat of China in East Asia.

SELECTED PUBLICATIONS

Professor James Kraska

Chair and Charles H. Stockton Professor of
International Maritime Law

Maritime Enforcement of North Korean Sanctions, 37 BERKELEY
JOURNAL OF INTERNATIONAL LAW 369 (2019)

*An Archival History of the Creation and Early Implementation
of the Freedom of Navigation Program*, in COOPERATION AND
ENGAGEMENT IN THE SOUTH CHINA SEA AND ASIA PACIFIC
REGION (Myron H. Nordquist ed., 2019)

*Misunderstanding of International Aviation Law May be Behind
Iran's Shootdown of the U.S. Global Hawk Drone*, EJIL: TALK!
(July 1, 2019)

Attribution of Naval Mine Strikes in International Law, EJIL:
TALK!, (June 21, 2019) (co-author)

*Did ITLOS Just Kill the Military Activities Exemption in Article
298?*, EJIL: TALK! (May 27, 2019)

The Kerch Strait Incident: Law of the Sea or Law of Naval Warfare?,
EJIL: TALK! (Dec. 3, 2019)

Professor Michael Schmitt

Howard S. Levie Professor of Law and War

*Classification of Cyber Capabilities and Operations as Weapons,
Means, or Methods of Warfare*, 95 INTERNATIONAL LAW STUDIES
179–225 (2019) (co-author)

*Uncertainty in the Law of Targeting: Towards a Cognitive
Framework*, 10 HARVARD NATIONAL SECURITY JOURNAL 148–194
(2019) (co-author)

*The Netherlands Releases a Tour de Force on International Law in
Cyberspace: Analysis*, JUST SECURITY (Oct. 14, 2019)

France Speaks out on IHL and Cyber Operations: Part II, EJIL:
TALK! (Oct. 1, 2019)

France Speaks out on IHL and Cyber Operations: Part I, EJIL:
TALK! (Sept. 30, 2019)

*France's Major Statement on International Law and Cyber: An
Assessment*, JUST SECURITY (Sept. 16, 2019)

The U.N. Yemen Report and Siege Warfare, JUST SECURITY, (Sept.
14, 2019) (co-author)

*Top Expert Backgrounder: Aborted U.S. Strike, Cyber Operation
Against Iran and International Law*, JUST SECURITY (June 24, 2019)

SELECTED PUBLICATIONS CONT.

Professor Michael Schmitt (cont.)

U.S. Cyber Command, Russia, and Critical Infrastructure: What Norms and Laws Apply?, JUST SECURITY (June 18, 2019)

Estonia Speaks Out on Key Rules for Cyberspace, JUST SECURITY (June 10, 2019)

Raul “Pete” Pedrozo

Non-Resident Fellow

U.S. EMPLOYMENT OF MARINE UNMANNED VEHICLES
IN THE SOUTH CHINA SEA, THE SOUTH CHINA SEA:
FROM A REGIONAL MARITIME DISPUTE TO GEOSTRATEGIC
COMPETITION (Routledge 2019)

Brian Wilson

Non-Resident Fellow

Advancing the Law of Vessel Interference by Non-State Actors, 55
TEXAS INTERNATIONAL LAW JOURNAL 159 (2019)

*Models for Maritime Collaboration in the South China Sea:
National-Level Coordination, in* COOPERATION AND ENGAGEMENT
IN THE SOUTH CHINA SEA AND ASIA PACIFIC REGION (Myron H.
Nordquist ed., 2019)

Commander David Lee

U.S. Navy, Military Professor

*With One Hand Tied: Naval Auxiliaries and Their Ability to
Conduct Belligerent Acts*, CENTER FOR INTERNATIONAL MARITIME
SECURITY (CIMSEC) (Oct. 1, 2019)

Commander David Dubay

U.S. Coast Guard, Military Professor

Why We Will Never See Fully Autonomous Commercial Ships,
MARITIME EXECUTIVE, (June 25, 2019)

Lieutenant Colonel John Cherry

U.S. Marine Corps, Deputy Director and Military Professor

*Enhanced distinction: The need for a more focused autonomous
weapons targeting discussion at the LAWS GGE*, ICRC’s
HUMANITARIAN LAW & POLICY (Mar. 29, 2019) (co-author)

Squadron Leader Kieran Tinkler

Royal Air Force, Military Professor

Collateral Damage and the Enemy, BRITISH YEARBOOK OF
INTERNATIONAL LAW (Apr. 9, 2019) (co-author)

The U.N. Yemen Report and Siege Warfare, JUST SECURITY
(Sept. 14, 2019) (co-author)

SELECTED PUBLICATIONS CONT.

Lieutenant Colonel Durward Johnson

U.S. Army, Military Professor

The U.N. Yemen Report and Siege Warfare, JUST SECURITY
(Sept. 14, 2019) (co-author)

Lieutenant Colonel Jeffrey Biller

U.S. Air Force, Military Professor

Cyber Operations and the Second Geneva Convention,
INTERNATIONAL REVIEW OF THE RED CROSS (Sept. 1, 2019)

*Classification of Cyber Capabilities and Operations as Weapons,
Means, or Methods of Warfare*, INTERNATIONAL LAW STUDIES
179–225 (2019) (with Michael N. Schmitt)

Air Power, International Law and Ethics, in ROUTLEDGE
HANDBOOK OF AIR POWER (John Andreas Olsen ed., 2019).
*The Law of War: A Detailed Assessment of the U.S. Department of
Defense Law of War Manual*, 72(1) NAVAL WAR COLLEGE REVIEW
168–70 (2019)

Major Jennifer Maddocks

British Army Legal Services, Military Professor

*Outsourcing of Governmental Functions in Contemporary Conflict:
Rethinking the Issue of Attribution*, 59 VIRGINIA JOURNAL OF
INTERNATIONAL LAW 47 (2019)

Commander Yusuke Saito

Japanese Maritime Self-Defense Force, Military Professor

*Reviewing Law of Armed Conflict at Sea and Warfare in New
Domains and New Measures: Submarine Cables, Merchant Missile
Ships, and Unmanned Marine Systems*, 44 TULANE MARITIME LAW
JOURNAL 107 (2019)

John Hursh

Managing Editor, International Law Studies

*The City as Ill Body: Visual Representations of Urban Landscapes
in the Global South*, in CINEMA AND THE ILL CITY: IMAGINING
JUSTICE AND ORDER IN REAL AND FICTIONAL CITIES 98–114
(Anne Wagner & Le Cheng eds., 2019) (Published on April 26,
2019 as part of Routledge Law, Language, and Communication
series)

*“Freedom, Peace, and Justice”: The Surprising Success of Sudan’s
Glorious Revolution*, JUST SECURITY (Dec. 19, 2019)

SELECTED PUBLICATIONS CONT.

John Hursh (cont.)

A Bump in the Belt and Road: Tanzania Pushes Back Against Chinese Port Project, CENTER FOR INTERNATIONAL MARITIME SECURITY (CIMSEC) (Dec. 2, 2019)

After Sudan's Attacks on Protestors, Crucial Next Steps for the U.S., JUST SECURITY (June 28, 2019)

As Sudan Deadline Looms, a Playbook for a Massacre, JUST SECURITY (June 27, 2019)

Amid Protest Plans, South Sudan Peace Deal Teeters After Leaders Miss Deadline, JUST SECURITY (May 14, 2019)

After Bashir, Sudanese People Continue Fight for Democracy and Accountability, JUST SECURITY (Apr. 29, 2019)

Ouster of Sudan's Bashir Is the Only the Beginning, JUST SECURITY (Apr. 12, 2019)

"Just the fall, that is all!" Is Sudan on the Brink of Change?, JUST SECURITY (Feb. 25, 2019)

Is Time Already Running Out for South Sudan's New Peace Deal?, WORLD POLITICS REVIEW (Jan. 7, 2019)

AFRICA MARITIME SECURITY PRIMER

The "Africa Maritime Security and Law Enforcement Primer" (Primer) is a 2019 update to the 2015 "Gulf of Guinea Maritime Security and Criminal Justice Primer." The Primer is a State Department-issued publication that includes detailed summaries of maritime security authorities, fiscal regulations, search and rescue obligations, multinational instruments, and regional frameworks. Substantive topics in the 126-page Primer include piracy, illegal fishing, maritime terrorist activities, whole-of-government frameworks, maritime domain awareness, and national-level authorities in Africa. The Primer is a seminal resource for naval/coast guard officers and has been disseminated to hundreds of partner nation officials.

ACADEMIC SERVICE

Professor Kraska

- Editorial Board, RUSI Journal (Royal United Services Institute)
- Editor-in-Chief, *Benedict on Admiralty: International Maritime Law* (3 volumes)
- Board of Editors, *Texas National Security Review*
- Board of Editors, *Marine Policy* (Elsevier)
- Board of Editors, *International Journal of Marine and Coastal Law*
- Board of Editors, *Asia-Pacific Journal of Ocean Law and Policy*
- Editorial Board, *Naval War College Review*

ACADEMIC SERVICE CONT.

Professor Kraska (cont.)

- Board of Editors, Brill Research Perspectives in the Law of the Sea
- Editorial Board, Benedict's Maritime Bulletin
- Distinguished Fellow, Law of the Sea Institute, University of California at Berkeley School of Law
- Senior Fellow, Center for Oceans Law & Policy, University of Virginia School of Law
- International Group of Experts, San Remo Manual on the Law Applicable to Armed Conflicts at Sea

Professor Michael Schmitt

- Secretary of State's Advisory Committee on International Law
United States Council on Foreign Relations Life Member
- Distinguished Scholar, Strauss Center for International Security and Law, University of Texas
- Senior Fellow, NATO Cooperative Cyber Defence Center of Excellence
- Advisory Board, Cyber Peace Institute
- Affiliate, Program in International Law and Armed Conflict, Harvard Law School
- Fellow, Royal Society of the Arts (FRSA)
- Research Associate, Hebrew University Cyber Law Program
- Advisory Board, Institute for International Peace and Security, Cologne University
- Board of Directors, International Society for Military Law and the Law of War

- Naval War College Foundation Life Member
- Texas Bar Association
- General Editor, Lieber Studies, Oxford University Press
- Editor Emeritus, International Law Studies
- Editorial Board, Texas National Security Review
- Editorial Board, International Review of the Red Cross
- Editorial Board, Journal of National Security Law and Policy
- Editorial Board, Just Security.org
- Board of Recommendation, Yearbook of International Humanitarian Law
- Editorial Board, Journal of International Peacekeeping
- Advisory Board, Journal of Military Ethics
- Advisory Board, International Humanitarian Law Series, Brill
- Advisory Board, Journal of International Humanitarian Legal Studies
- Editorial Board, Journal of Law and Cyber Warfare
- Editorial Council, Estonian Journal of Military Studies

LtCol Cherry

President, United States Group, International Society of Military Law and the Law of War

LTC Rizzotti

- Representative, U.S. Naval War College Faculty Senate Dialogue
- Treasurer, United States Group, International Society of Military Law and the Law of War

John Hursh

Executive Committee of the Lieber Society on the Law of Armed Conflict, American Society of International Law

ENGAGEMENT CALENDAR 2019

JANUARY

- CDR Dubay lectured at the International Maritime Law Institute (IMLI) in Malta

FEBRUARY

- Professor Kraska delivered remarks at a conference on “Maritime Asia” at the University of Connecticut
- Professor Kraska participated in the East China Sea Workshop at the University of Belgium, sponsored by the Japanese Consulate
- CDR Saito and LtCol Cherry taught a delegation of Japanese graduate students from Tufts University Fletcher School of Law and Diplomacy
- LtCol Cherry moderated a panel at Brigham Young University School of Law’s conference on hybrid conflicts

MARCH

- At the invitation of the UK’s Foreign and Commonwealth Office, Professor Schmitt participated in a closed workshop designed to inform future UK Cyber Policy at Chatham House
- Professor Schmitt conducted international cyber law training for officials from throughout the Swiss government
- LtCol Cherry served as the NWC delegate to the Lethal Autonomous Weapons Group of Government Experts at the United Nations in Geneva, Switzerland
- LtCol Cherry presented a lecture on U.S. joint targeting operations to the Graduate Institute Geneva

APRIL

- On the invitation of Le Hoai Trung, Vice Foreign Minister of Vietnam, Professor Kraska offered his views on legal aspects of South China Sea competition at the Vietnam Mission to the UN

MAY

- CDR Dubay spoke at the 43d Annual Conference of the Center for Oceans Law and Policy of the University of Virginia School of Law at the World maritime University in Malmo, Sweden
- CDR Dubay provided a brief to the visiting delegation from the Mexican Naval War College on U.S. and NATO maritime strategy to counter international piracy



Colonel Dr. Eran Shamir-Borer, International Law Department, Israeli Defense Forces, discusses European and Israeli perspectives on the San Remo manual during a U.S. consultative meeting for the revision of the “San Remo Manual on International Law Applicable to Conflicts at Sea” held at U.S. Naval War College’s Stockton Center for International Law, Dec. 18, 2019.

ENGAGEMENT CALENDAR 19' CONT.

MAY (CONT.)

- Professor Schmitt spoke at the Annual Cyber Conflict Conference hosted by the NATO Cyber Center on Sovereignty in Cyberspace in Estonia
- Professor Schmitt directed an international cyber law capacity building seminar for officials from Organization of American States (OAS) members in Columbia
- Professor Schmitt directed an international cyber law capacity-building seminar for officials from Association of Southeast Asian Nations (ASEAN) members in Thailand

JUNE

- Professor Schmitt directed a workshop on Attribution Mechanisms in Cyberspace in collaboration with Hebrew University and the Dutch MFA
- LtCol Cherry participated in the DoD's Strategy and Force Development TTX to examine the DoDD 3000.09 autonomous weapons system review process
- LTC Rizzotti delivered a presentation on private military security contractors at the International Society for Military Law and the Law of Wars' XIIth Seminar for Legal Advisors of the Armed Forces in Geneva, Switzerland
- Maj Griffiths presented a lecture on NATO rules of engagement at the Defense Institute of International Legal Studies (DIILS) annual International Law of Military Operations course

JULY

- Professor Schmitt conducted an international cyber law capacity-building workshop in Jakarta, Indonesia for Indonesian government agencies dealing with cyber security
- Professor Kraska was interviewed about legal aspects of a Chinese survey ship in Vietnam's EEZ by three Vietnamese media outlets: Thanh Nien News (twice), Zing News, and Ho Chi Minh City Law Newspaper

- Professor Kraska was interviewed by Defense News on legal aspects of the Iran-UK confrontation in the Strait of Hormuz

AUGUST

- Professor Schmitt conducted an international cyber law capacity-building workshop in Uruguay for the Organization of American States (OAS)
- Professor Schmitt conducted an international cyber law capacity-building workshop in Singapore
- Professor Schmitt was interviewed by the Washington Post regarding an upcoming story on the U.S. cyber operations conducted against Iran
- Professor Kraska presented at the Yeosu Academy Law of the Sea in South Korea on Freedom of Navigation and Maritime Security Operations

SEPTEMBER

- Professor Kraska gave the key-note presentation at the NATO Conference at the Centre of Excellence for Confined and Shallow Waters (COECSW) in Madrid, Spain
- Professor Schmitt was interviewed by Financial Times (UK) on cyber, law, and military operations
- Professor Schmitt was consulted by Congress' Cyber Solarium Commission on defense policy in cyberspace
- Professor Kraska was interviewed by the South China Morning Post on International Law of Naval Operations

OCTOBER

- Professor Kraska joined former Professor Pete Pedrozo as the US representatives to the International Group of Experts to revise the San Remo Manual on the Law Applicable to Conflicts at Sea in Copenhagen, Denmark
- LtCol Cherry served as an instructor at the International Institute of Humanitarian Law's Rules of Engagement Course in San Remo, Italy
- CDR Lee taught the Maritime Law Course at the International Institute of Humanitarian Law in San Remo, Italy

ENGAGEMENT CALENDAR 19' CONT.

OCTOBER (CONT.)

- Professor Kraska was interviewed on future naval operations and international law for Vital Interests, a podcast of the Center for National Security Law at Fordham Law School
- Professor Kraska joined representatives from OSD and CNA in Singapore and conducted a Track 1.5 bilateral meeting on South China Sea security with the Centre for Humanitarian Dialogue, Geneva, Switzerland

NOVEMBER

- Professor Kraska conducted working sessions with the National Maritime Foundation, Directorate General of Shipping and Centre for Maritime Law and Research at Maharashtra National Law University (MNLU) in Mumbai, India concerning maritime security in the Indian Ocean
- Professor Kraska delivered a brief at the Diplomatic Academy of Vietnam's 11th South China Sea International Conference in Hanoi, Vietnam

DECEMBER

- Maj Griffiths and Professor Schmitt participated in Partnered Warfare: International Law and Policy Dimensions, co-sponsored by the ICRC and the Harvard Law School Program on International Law & Armed Conflict
- LtCol Cherry participated in Yale Law School Paul Tsai China Center and the Centre for Humanitarian Dialogue seminar promoting U.S., China, and European cooperation in issues surrounding artificial intelligence in Geneva, Switzerland

INTERNATIONAL LAW STUDIES

James Kraska, Editor-in-Chief

John Hursh, Managing Editor

Michael N. Schmitt, Editor Emeritus

International Law Studies published 15 articles in 2019, including nine feature articles and six articles from two Stockton Center events: the First Annual Alexander C. Cushing International Maritime Law Conference, International Law and Conflict at Sea, hosted in November 2018 and the Fog of Law Workshop hosted in May 2018.



Natalino Ronzitti, professor emeritus of international law, LUISS University, discusses European and Israeli perspectives on the San Remo manual during a U.S. consultative meeting for the revision of the "San Remo Manual on International Law Applicable to Conflicts at Sea" held at U.S. Naval War College's Stockton Center for International Law, Dec. 18, 2019.

FEATURE ARTICLES

Terry D. Gill and Kinga Tibori-Szabó, Twelve Key Questions on Self-Defense against Non-State Actors

Hans-Georg Dederer and Tassilo Singer, Adverse Cyber Operations: Causality, Attribution, Evidence, and Due Diligence

Craig H. Allen, The Peacetime Right of Approach and Visit and Effective Security Council Sanctions Enforcement at Sea

Charles H. Norchi, Law as Strategy: Thinking Below the State in Afghanistan

Ezequiel Heffes, Armed Groups and the Protection of Health Care

Jeffrey T. Biller and Michael N. Schmitt, Classification of Cyber Capabilities and Operations as Weapons, Means, or Methods of Warfare

Ryan J. Vogel, Beyond Geneva: Detainee Review Processes in Non-International Armed Conflict—A U.S. Perspective

Kenneth Watkin, Medical Care in Urban Conflict

Sean Watts, Humanitarian Logic and the Law of Siege: A Study of the Oxford Guidance on Relief Actions

Symposia: International Law and Conflict at Sea

Marco Longobardo, The Occupation of Maritime Territory under International Humanitarian Law

Phillip J. Drew, Can We Starve the Civilians? Exploring the Dichotomy between the Traditional Law of Maritime Blockade and Humanitarian Initiatives

Richard L. Kilpatrick, Jr., Marine Insurance Prohibitions in Contemporary Economic Warfare

Natalie Klein, Maritime Autonomous Vehicles within the International Law Framework to Enhance Maritime Security

Symposia: The Fog of Law

Jann K. Kleffner, The Legal Fog of an Illusion: Three Reflections on “Organization” and “Intensity” as Criteria for the Temporal Scope of the Law of Non-International Armed Conflict

Adil Ahmad Haque, Indeterminacy in the Law of Armed Conflict



U.S. NAVAL WAR COLLEGE

*Stockton Center for
International Law*