

## Resume

Paul Brooke Stephan

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Born 1950; married to Dr. Pamela Clark; children Paul, George, and Adriana

### *Specialties*

International law; foreign relations law; post-Soviet law; international business transactions;  
contract law; federal taxation; U.S. constitutional law

### *Employment*

John C. Jeffries, Jr., Distinguished Professor of Law, University of Virginia	2009-
David H. Ibbeken '71 Research Professor of Law, University of Virginia	2021-24
	2012-15
Lecturer for Special Course, Public International Law, Hague Academy of International Law (selected)	2023
Special Counsel to the General Counsel, Office of the Secretary of Defense, U.S. Department of Defense	2020-21
John V. Ray Research Professor of Law, University of Virginia School of Law	2016-19
Scholar in Residence, Wilmer Cutler Pickering Hale and Dorr (London)	2014, 2019
Visiting Professor, Duke Law School	2014
Coordinating Reporter, Restatement (Fourth) of the Foreign Relations Law of the United States, American Law Institute	2012-18
Visiting Professor, Peking University School of Transnational Law, Shenzhen Campus	2011, 2013, 2015, 2019
Justin D'Atri Visiting Professor of Law, Business, and Society, Columbia Law School	2010
Visiting International Professor, Sydney University	2010, 2011, 2013, 2015, 2017
Visiting International Professor, Radzyner School of Law, Interdisciplinary Center Herzliya	2008-09
	2011-12
Elizabeth D. and Richard A. Merrill Professor, University of Virginia School of Law	2008-11

Counselor on International Law, Office of the Legal Adviser, U.S. Department of State	2006-07
Visiting Professor, Université Paris II – Panthéon-Assas, Faculté de Droit	2004, 2015
Visiting Professor, Institut d'Études politiques de Paris and Université Paris 1 – Panthéon-Sorbonne, Faculté de Droit	2004
Parsons Visiting Professor, Sydney University, Faculty of Law	2004
Lewis F. Powell, Jr., Professor, University of Virginia School of Law	2003-2009
Visiting Professor, Melbourne University, Faculty of Law	2002, 2004, 2006, 2015, 2017, 2019
Visiting Professor, Université de Lausanne, Faculté de Droit	2001
E. James Kelly, Jr – Class of 1965 Research Professor	2000-03
Guest Professor, Universität Wien, Rechtswissenschaftliche Fakultät	1998
Barron F. Black Research Professor, University of Virginia School of Law	1996-99
Hunton & Williams Research Professor, University of Virginia School of Law	2004-07
Percy Brown, Jr., Professor, University of Virginia School of Law	1992-95, 1991-2003
Professor, University of Virginia School of Law	1985-91
Associate Professor, University of Virginia School of Law	1983-85
Assistant Professor, University of Virginia School of Law	1979-83
Law Clerk, Hon. Lewis F. Powell, Jr., Supreme Court of the United States	1978-79
Law Clerk, Hon. Levin H. Campbell, United States Court of Appeals for the First Circuit	1977-78

### ***Education***

University of Virginia School of Law	J.D., 1977
Executive Editor, VIRGINIA LAW REVIEW	
Order of the Coif	
Yale University (Russian Studies)	M.A., 1974
Yale University (cum laude; history major)	B.A., 1973

### ***Summer Employment***

Associate, Sullivan & Cromwell, New York, N.Y.	1977
Associate, Covington & Burling, Washington, D.C.	1976
Intern, Soviet Internal Branch, Office of Current Intelligence, Central Intelligence Agency	1974, 1975
Intern, Economic Analysis Branch, Environmental Protection Agency	1973

## ***Courses Taught***

*First-year courses:* property; contracts; constitutional law

*Comparative and foreign law:* comparative law; Russian law; Soviet legal system; research seminar in Soviet law; tutorial in Soviet law; Soviet-Capitalist business transactions; American contracts law; transactions; emerging markets; foreign investment in the former Soviet Union; introduction to the common law; terrorism, human rights and the rule of law: a comparative approach; Russian in the international order; Soviet and Russian approaches to international law

*Taxation:* federal income taxation; corporate taxation; estate and gift taxation; international taxation; taxation of innovative financial transactions; tax policy; U.S. taxation of business transactions

*International law:* international law; international business transactions; international trade law; international trade and investment; international financial crimes; international law and the scholarly process; international law in the U.S. Supreme Court; colloquium on international economic law; international economic law

*U.S. public law:* international civil litigation; U.S. Supreme Court decisions; legal aspects of foreign intelligence

## ***Award***

Office of the Secretary of Defense Medal for Exceptional Public Service, 2021  
Roger and Madeleine Traynor Faculty Achievement Award, University of Virginia School of Law, 2018

## ***Publications: In Print***

### ***Books***

RESTATEMENT (FOURTH) OF THE FOREIGN RELATIONS LAW OF THE UNITED STATES (2018) (co-ordinating reporter with Sarah H. Cleveland; co-reporter of Chapters 4 and 8 with William S. Dodge and Anthea Roberts)

DOING BUSINESS IN EMERGING MARKETS – A TRANSACTIONAL COURSE (Foundation Press: New York, 2d ed. 2015) (with Richard N. Dean and James W. Skelton, Jr.); (Foundation Press: New York, 2010) (with Richard N. Dean)

INTERNATIONAL TRADE AND INVESTMENT (LexisNexis: Newark, 2011)

INTERNATIONAL BUSINESS AND ECONOMICS – LAW AND POLICY (LexisNexis: Newark, 4th ed., 2010) (with Julie A. Roin); (LexisNexis: Charlottesville, 1993, 2d ed. 1996, 3d ed. 2004) (with Julie A. Roin and Don Wallace, Jr.)

THE LIMITS OF LEVIATHAN – CONTRACT THEORY AND THE ENFORCEMENT OF INTERNATIONAL LAW (Cambridge University Press: Cambridge, 2006) (with Robert E. Scott)

THE LAW AND ECONOMICS OF THE EUROPEAN UNION (LexisNexis: Charlottesville, 2003) (with Ben W.F. Depoorter and Francesco Parisi)

### ***Book Chapters***

[\*Introduction – The Role of the Restatements in U.S. Foreign Relations\*](#) and [\*The Waning of the Federal Common Law of Foreign Relations\*](#) in THE RESTATEMENT AND BEYOND – THE PAST, PRESENT, AND FUTURE OF U.S. FOREIGN RELATIONS LAW 1, 179 (Oxford University Press: New York, Paul B. Stephan & Sarah H. Cleveland eds., 2020)

[\*International Law as a Wedge Between Legal Systems\*](#), in THE COMMON LAW AND THE CIVIL LAW TODAY – CONVERGENCE AND DIVERGENCE 1 (Vernon Press: Wilmington, Del., Marko Novakovic ed., 2019)

[\*Constitutionalism and Internationalism: U.S. Participation in International Institutions\*](#), in OXFORD HANDBOOK OF COMPARATIVE FOREIGN RELATIONS LAW 375 (Oxford University Press: New York, Curtis A. Bradley ed., 2019)

[\*Conceptualizing Comparative International Law\*](#) and [\*Comparative International Law, Foreign Relations Law and Fragmentation: Can the Center Hold?\*](#) in COMPARATIVE INTERNATIONAL LAW 3, 53 (Oxford University Press: Oxford, Anthea Roberts, Paul B. Stephan, Pierre-Hugues Verdier & Mila Versteeg eds., 2018)

[\*The Law and Economics of International Law Enforcement\*](#), in OXFORD HANDBOOK OF LAW AND ECONOMICS, VOL. 3: PUBLIC LAW AND LEGAL INSTITUTIONS (Oxford University Press: Oxford, Francesco Parisi ed., 2017)

[\*Treaty Enforcement\*](#), in ECONOMIC ANALYSIS OF INTERNATIONAL LAW 181 (Edgar Elgar: Cheltenham, Eugene Kontorovich & Francesco Parisi eds., 2016)

[\*The Political Economy of Jus Cogens\*](#) and [\*The Political Economy of Judicial Production of International Law\*](#), in THE POLITICAL ECONOMY OF INTERNATIONAL LAW: A EUROPEAN PERSPECTIVE 75 and 202 (Edgar Elgar: Cheltenham, Alberta Fabbriotti ed., 2016)

*Guerras Fiscais nos Estados Unidos (Fiscal Wars in the United States)*, in COLEÇÃO FEDERALISMO E TRIBUTAÇÃO – VOLUME 2: ESTADOS FEDERAL E GUERRA FISCAL NO DIREITO COMPARADO (COLLECTION ON FEDERALISM AND TAXATION – FEDERAL STATES AND FISCAL WARS IN DIRECT COMPARISON) 161 (Arraes Editores: Belo Horizonte, Misabel Abreu Machado Derzi, Onofre Batista Júnior & André Mendes Moreira eds., 2015)

*Introduction* and *Unjust Legal Systems and the Enforcement of Foreign Judgments*, in RECOGNITION AND ENFORCEMENT OF JUDICIAL JUDGMENTS 1, 84 (Martinus Nijhoff Publishers: Boston, Paul B. Stephan ed., 2014)

*Human Rights and Wealth*, in ESSAYS IN INTERNATIONAL ECONOMIC LAW, DEVELOPMENT AND ARBITRATION IN HONOR OF DON WALLACE, JR. 207 (JurisNet LLC: Huntington, NY, Ian A. Laird, Borzu Sabahi, Jose Antonio Rivas & Nicholas J. Birch eds., 2014)

*International Law and Competition Policy*, in COMPETITION AND THE ROLE OF THE STATE 121 (Stanford University Press: Stanford, D. Daniel Sokol, Ioannis Lianos and Thomas Cheng eds., 2014))

*Sovereign Immunity and the International Court of Justice: The State System Triumphant*, in FOREIGN AFFAIRS LITIGATION IN UNITED STATES COURTS 67 (Martinus Nijhoff Publishers: Boston, John N. Moore ed., 2013)

*The Impact of the Cold War on Soviet and US Law: Reconsidering the Legacy*, in THE LEGAL DIMENSION IN COLD WAR INTERACTIONS: SOME NOTES FROM THE FIELD 141 (Martinus Nijhoff Publishers: Leiden, Tatiana Borisova and William B. Simons eds., 2012)

*International law as a source of law*, in PRODUCTION OF LEGAL RULES – ENCYCLOPEDIA OF LAW AND ECONOMICS, SECOND EDITION 255 (Edward Elgar: Cheltenham, Francesco Parisi ed., 2011)

*Treaties in the Supreme Court, 1946-2000*, and *Empagran – Empire Building or Judicial Modesty?* in INTERNATIONAL LAW IN THE U.S. SUPREME COURT: CONTINUITY AND CHANGE 317, 553 (Cambridge University Press: New York, David L. Sloss, Michael D. Ramsey & William S. Dodge eds., 2011)

*The Problem with Cooperation* in COOPERATION, COMITY AND COMPETITION POLICY 217 (Oxford University Press: New York, Andrew T. Guzman ed., 2011)

*Tax Law and International Investment* in INTERNATIONAL INVESTMENT LAW AND COMPARATIVE PUBLIC LAW 599 (Oxford University Press: New York, Stephan W. Schill ed., 2010)

*Taxes, Economics of* in 3 ENCYCLOPEDIA OF LAW AND SOCIETY – AMERICAN AND GLOBAL PERSPECTIVES 1463 (SAGE Publications: Thousand Oaks, David S. Clark ed., 2007)

*Introduction* in ECONOMICS OF EUROPEAN UNION LAW xi (Edgar Elgar: Cheltenham, Paul B. Stephan ed., 2007)

*The United States* in PARTY AUTONOMY: CONSTITUTIONAL AND INTERNATIONAL LAW LIMITS IN COMPARATIVE PERSPECTIVE 313 (Juris Publishing, Inc.: Huntington, George A. Berman ed., 2005)

*Energy Development and Distribution – What Can the Law Do?* in INTERNATIONAL ENERGY POLICY, THE ARCTIC AND THE LAW OF THE SEA 201 (Martinus Nijhoff Publishers: Leiden, Myron H. Nordquist, John Norton Moore & Alexander S. Skaridov eds., 2005)

*Against International Cooperation*, in COMPETITION LAWS IN CONFLICT: ANTITRUST JURISDICTION IN THE GLOBAL ECONOMY 66 (The AEI Press: Washington, D.C., Richard A. Epstein & Michael S. Greve eds., 2004)

*Regulatory Cooperation and Competition – The Search for Virtue* in TRANSATLANTIC REGULATORY COOPERATION – LEGAL PROBLEMS AND POLITICAL PROSPECTS 167 (Oxford University Press: Oxford, George A. Bermann, Matthias Herdegen & Peter L. Lindseth eds., 2000)

*Inheritance and Gift Taxation* in IV ENCYCLOPEDIA OF LAW AND ECONOMICS 239 (Edward Elgar: Cheltenham, Boudewijn Bouckaert & Gerrit De Geest eds., 2000)

*Toward a Positive Theory of Privatization: Lessons from Soviet-type Economies* in ECONOMIC DIMENSIONS IN INTERNATIONAL LAW 324 (Cambridge University Press: Cambridge, Jagdeep S. Bhandari & Alan O. Sykes eds., 1997)

*Foreword and Westernization of the European East?* in LEGAL REFORM IN POST-COMMUNIST EUROPE: THE VIEW FROM WITHIN 1, 473 (Martinus Nijhoff Publishers: Dordrecht, Stanislaw Frankowski & Paul B. Stephan eds., 1994) (with Stanislaw Frankowski)

*Introduction* and *Prevention and Control of International Terrorism*, in INTERNATIONAL LAW AND INTERNATIONAL SECURITY – A U.S.-SOVIET DIALOGUE ON THE MILITARY AND POLITICAL DIMENSIONS (M.E. Sharpe, Inc.: Armonk, Boris M. Klimenko & Paul B. Stephan eds., 1991) (published in the Soviet Union as Международное право и международная безопасность – Диалог советских и американских экспертов (International Relations: Moscow, 1991))

*Introduction, Property Law and Economic Rights under Perestroika: A Sovietologist's Perspective, and Revisiting the Incorporation Debate: The Role of Domestic Political Structure*, in THE MOSCOW CONFERENCE ON LAW AND BILATERAL ECONOMIC RELATIONS 147 (American Bar Association: Chicago, James R. Silkenat & Paul B. Stephan eds., 1991) (published in the Soviet Union as Тезисы выступлений советских и американских докладов – Московская конференция право и экономическое сотрудничество (Union of Jurists: Moscow, 1991))

*Comrades' Courts and Labor Discipline Since Brezhnev*, in LAW AND ECONOMY IN THE U.S.S.R. 221 (Martinus Nijhoff Publishers: Dordrecht, Olimpiad S. Ioffe & Mark W. Janis eds., 1986)

## **Articles**

[\*One Voice in Foreign Relations and Federal Common Law\*](#), 60 VA. J. INT'L L. 1 (2019)

[\*What Should We Ask Reputation to Do?\*](#) 113 AM. J. INT'L L. UNBOUND 223 (2019)

[\*The Future of International Human Rights Law – Lessons from Russia\*](#), 81 LAW & CONTEMP. PROBS. 167 (Winter 2018), reprinted as [Будущее международного права в области защиты прав человека – уроки России](#), Теоретическая и прикладная Юриспруденция [Theoretical and Applied Jurisprudence] (No. 2, 2019)

[\*Inferences of Judicial Lawmaking Power and the Law of Nations\*](#), 106 GEORGETOWN L.J. 1793 (2018)

[\*Competing Sovereignty and Laws' Domains\*](#), 45 PEPPERDINE LAW REV. 239 (2018)

[\*Blocher, Gulati and Coase: Making or Buying Sovereignty?\*](#) 66 DUKE L.J. ONLINE 51 (2017)

[\*Agora: Reflections on RJR Nabisco v. European Community – Private Litigation as a Foreign Relations Problem\*](#), 110 AM. J. INT'L L. UNBOUND 40 (2016)

[\*Comparative International Law: Framing the Field\*](#), 109 AM. J. INT'L L. 467 (2015) (with Anthea Roberts, Pierre-Hugues Verdier & Mila Versteeg)

[\*Standards, Networks, and the Political Economy of International Lawmaking: A Response to Stavros Gadinis\*](#), 109 AM. J. INT'L L. UNBOUND 34 (2015)

[\*United States v. Bond and Information-Forcing Defaults: The Work that Presumptions Do\*](#), 90 NOTRE DAME L. REV. 1465 (2015)

[\*International Investment Law and Municipal Law: Substitutes or Complements?\*](#) 9 CAPITAL M'KTS L.J. 354 (2014)

[\*Courts on Courts: Contracting for Engagement and Indifference in International Judicial Encounters\*](#), 100 VA. L. REV. 17 (2014)

[\*Human Rights Litigation in the United States after Kiobel\*](#), 1 PEKING U. TRANSNAT'L L. REV. 338 (2013)

[\*The Political Economy of Extraterritoriality\*](#), 1 POLITICS AND GOVERNANCE 92 (2013)

[\*Taxation and Expropriation – The Destruction of the Yukos Oil Empire\*](#), 35 HOUSTON J. INT'L L. 1 (2013)

[\*Regulatory Competition and Anticorruption Law\*](#), 53 VA. J. INT'L L. 53 (2012)

[\*Rethinking the International Rule of Law: The Homogeneity Fallacy and International Law's Threats to Itself\*](#), 3 JERUSALEM REV. LEG. STUD. 19 (Vol. 4, 2012)

[\*The Limits of Change: International Human Rights and the Obama Administration\*](#), 35 FORDHAM INT'L L.J. 488 (2012)

[\*Privatizing International Law\*](#), 97 VA. L. REV. 1573 (2011)

[\*The Political Economy of Jus Cogens\*](#), 44 VAND. J. TRANSNAT'L L. 1073 (2011)

[\*International Humanitarian Law in the Context of Terrorism and the U.S. Courts\*](#), 2009 RUSSIAN YB. INT'L L. 201 (2010)

[\*Disaggregating Customary International Law\*](#), 21 DUKE J. COMP. & INT'L L. 191 (2010)

[\*Symmetry and Selectivity: What Happens in International Law When the World Changes\*](#), 10 CHI. J. INT'L L. 91 (2009)

[\*Open Doors\*](#), 13 LEWIS & CLARK L. REV. 11 (2009)

[\*What Story Got Wrong – Federalism, Localist Opportunism and International Law\*](#), 73 MO. L. REV. 1041 (2008)

[\*The Institutional Implications of an Odious Debt Doctrine\*](#), 70 LAW & CONTEMP. PROBS. 213 (Summer 2007)

[\*Private Remedies for Treaty Violations after Sanchez-Llamas\*](#), 11 LEWIS & CLARK L. REV. 65 (2007)



- [\*U.S. Judges and International Courts\*](#), PROCEEDINGS OF THE 100TH ASIL ANNUAL MEETING 238 (2006)
- [\*Process Values, International Law, and Justice\*](#), 23 SOCIAL PHILOSOPHY AND POLICY 131 (2006), *republished in* JUSTICE AND GLOBAL POLITICS 131 (Cambridge University Press: Cambridge, Ellen Frankel Paul, Fred D. Miller, Jr., & Jeffrey Paul eds., 2006)
- [\*The Politics of the Geneva Convention: Anxiety as the Beginning of Insight\*](#), 46 VA. J. INT'L L. 1 (2005) (with Samuel Estreicher)
- [\*Global Governance, Antitrust, and the Limits of International Cooperation\*](#), 38 CORNELL INT'L L.J. 173 (2005), *reprinted in* ECONOMICS OF EUROPEAN UNION LAW 419 (Edgar Elgar: Cheltenham, Paul B. Stephan ed., 2007)
- [\*An Empirical Assessment of the Impact of Formal Versus Informal Dispute Resolution on Poverty: A Governance-Based Approach\*](#), 25 INT'L REV. L. & ECON. 89 (2005) (with Edgardo Buscaglia)
- [\*Self-Enforcing International Agreements and the Limits of Coercion\*](#), 2004 WISC. L. REV. 551 (with Robert E. Scott)
- [\*US Constitutionalism and International Law: What the Multilateralist Move Leaves Out\*](#), 2 J. INT'L CRIM. JUST. 11 (2004)
- [\*Courts, the Constitution, and Customary International Law – The Intellectual Origins of the Restatement \(Third\) of the Foreign Relations Law of the United States\*](#), 44 VA. J. INT'L L. 33 (2003)
- [\*Foreword – Taking International Law Seriously\*](#), 44 VA. J. INT'L L. 1 (2003) (with Samuel Estreicher)
- [\*A Becoming Modesty – U.S. Litigation in the Mirror of International Law\*](#), 52 DEPAUL L. REV. 627 (2002)
- [\*Courts, Tribunals and Legal Unification – The Agency Problem\*](#), 3 CHI. J. INT'L L. 333 (2002)
- [\*Institutions and Élites: Property, Contract, the State, and Rights in Information in the Global Economy\*](#), 10 CARDOZO J. INT'L & COMP. L. 305 (2002)
- [\*Redistributive Litigation – Judicial Innovation, Private Expectations and the Shadow of International Law\*](#), 88 VA. L. REV. 789 (2002)
- [\*The Political Economy of Conflicts of Laws\*](#), 90 GEORGETOWN L.J. 957 (2002)

International Governance and American Democracy, 1 CHI. J. INT'L L. 237 (2000)

Choice of Law and Its Consequences: Constitutions for International Transactions, 26 BROOKLYN J. INT'L L. 211 (2000)

Richardson v. McKnight and the Scope of Immunity after Privatization, 8 SUP. CT. ECON. REV. 103 (2000) (with Clayton P. Gillette)

The Cold War and Soviet Law, 93 AM. SOC'Y INT'L L. PROC. 43 (2000)

Sheriff or Prisoner? The United States and the World Trade Organization, 1 CHI. J. INT'L L. 49 (2000)

Rationality and Corruption in the Post-Socialist World, 14 CONN. J. INT'L L. 533 (1999)

The Futility of Unification and Harmonization in International Commercial Law, 39 VA. J. INT'L L. 743 (1999)

The New International Law – Legitimacy, Accountability, Authority, and Freedom in the New Global Order, 70 U. COLO. L. REV. 1555 (1999)

Constitutional Limitations on Privatization, 46 AM. J. COMP. L. 481 (Supp. 1998) (with Clayton P. Gillette)

Creative Destruction – Idiosyncratic Claims of International Law and the Helms-Burton Legislation, 27 STETSON L. REV. 1341 (1998)

Toward a Positive Theory of Privatization – Lessons from Soviet-Type Economies, 16 INT'L REV. L. & ECON. 173 (1996)

Accountability and International Lawmaking: Rules, Rents and Legitimacy, 17 NW. J. INT'L L. & BUS. 681 (1996-97)

The Fall – Understanding the Collapse of Soviet Communism, 29 SUFFOLK U. L. REV. 17 (1995)

Barbarians Inside the Gate: Public Choice Theory and International Economic Law, 10 AM. U. J. INT'L L. & POL'Y 745 (1995)

Modern Techniques for Financial Transactions and Their Effects on Currency, 42 AM. J. COMP. L. 203 (Supp. 1994), *reprinted in* MODERN TECHNIQUES FOR FINANCIAL TRANSACTIONS AND THEIR EFFECTS ON CURRENCY (Aspen Publishers: New York, Michael Stathopoulos ed., 1995)

- [\*Further Thoughts on the Rule of Law and a New World Order\*](#), 26 JOHN MARSHALL L. REV. 739 (1993)
- [\*Privatization After Perestroika: The Impact of State Structure\*](#), 14 WHITTIER L. REV. 403 (1993)
- [\*Labor Law in Russia – The Hopes and Fears of Post-Soviet Workers\*](#), 32 VA. J. INT’L L. 789 (1992)
- [\*Further Reflections on the Implementation of Comparative Advantage Principles in Trade Law\*](#), 2 J. LEG. ECON. 111 (1992)
- [\*Soviet Law and Foreign Investment: Perestroika’s Gordian Knot\*](#), 25 INT’L LAW. 741 (1991)
- [\*Revisiting the Incorporation Debate: The Role of Domestic Political Structure\*](#), 31 VA. J. INT’L L. 417 (1991)
- [\*Perestroika and Property: The Law of Ownership in the Post-Socialist Soviet Union\*](#), 39 AM. J. COMP. L. 1101 (1991)
- [\*International Law in the Supreme Court\*](#), 1990 SUP. CT. REV. 133
- [\*The Restructuring of Soviet Commercial Law and Its Impact on International Business Transactions\*](#), 24 GEO. WASH. J. INT’L L. & ECON. 89 (1990)
- [\*Soviet Economic Law: The Paradox of Perestroika\*](#), Carl Beck Papers in Russian and East European Studies, No. 805, June 1990
- [\*Disaggregation and Subchapter C: Rethinking Corporate Tax Reform\*](#), 76 VA. L. REV. 655 (1990)
- [\*Перестройка и советология \[Perestroika and Sovietology\]\*](#), in США – Экономика Политика Идеология [USA – ECONOMICS, POLITICS, AND IDEOLOGY] No. 3, p. 30 (1989)
- [\*Courts with Income Tax Jurisdiction – An International Comparison\*](#), 8 VA. TAX REV. 233 (1988), reprinted as *Una Comparacion Internacional de Tribunales de Impuestos*, REVISTA DE TRIBUNA FISCAL DE LA FEDERACION, NO. 11, p. 73 (1988)
- [\*Constitutional Limits on the Struggle Against International Terrorism: Revisiting the Rights of Overseas Aliens\*](#), 19 CONN. L. REV. 831 (1987)
- [\*A Comment on Transfer Tax Reform\*](#), 72 VA. L. REV. 1471 (1986), reprinted in FEDERAL WEALTH TRANSFER TAX ANTHOLOGY (Anderson Publishing Co.: Cincinnati, Paul L. Caron, Grayson M.P. McCouch, and Karen C. Burke eds., 1998)
- [\*Nontaxpayer Litigation of Income Tax Disputes\*](#), 3 YALE L. & POL’Y REV. 73 (1985)

*Federal Income Taxation and Human Capital*, 70 VA. L. REV. 1357 (1984), *reprinted in* FEDERAL INCOME TAX ANTHOLOGY (Anderson Publishing Co.: Cincinnati, Paul L. Caron, Karen C. Burke, and Grayson M.P. McCouch eds., 1997)

*Bob Jones University v. United States: Public Policy in Search of Tax Policy*, 1983 SUP. CT. REV. 33

*The First Amendment and Content Discrimination*, 68 VA. L. REV. 203 (1982)

*Constitutional Limits on International Rendition of Criminal Suspects*, 20 VA. J. INT'L L. 777 (1980)

*Defenses, Presumptions, and Burden of Proof in the Criminal Law*, 88 YALE L.J. 1325 (1979) (with John C. Jeffries, Jr.)

*The Central Intelligence Agency: Present Authority and Proposed Legislative Change*, 62 VA. L. REV. 332 (1976)

### ***Books Edited***

THE RESTATEMENT AND BEYOND – THE PAST, PRESENT, AND FUTURE OF U.S. FOREIGN RELATIONS LAW (Oxford University Press: New York, 2020) (co-editor with Sarah H. Cleveland)

COMPARATIVE INTERNATIONAL LAW (Oxford University Press: Oxford, 2018) (co-editor with Anthea Roberts, Pierre-Hugues Verdier & Mila Versteeg)

RECOGNITION AND ENFORCEMENT OF JUDICIAL JUDGMENTS (Martinus Nijhoff Publishers: Boston, 2014)

ECONOMICS OF EUROPEAN UNION LAW (Edgar Elgar: Cheltenham, 2007)

PROCEEDINGS OF THE 94TH ASIL ANNUAL MEETING (American Society of International Law: Washington, D.C., 2000)

LEGAL REFORM IN POST-COMMUNIST EUROPE: THE VIEW FROM WITHIN (Martinus Nijhoff Publishers: Dordrecht, 1994) (with Stanislaw Frankowski)

INTERNATIONAL LAW AND INTERNATIONAL SECURITY – A U.S.-SOVIET DIALOGUE ON THE MILITARY AND POLITICAL DIMENSIONS (M.E. Sharpe, Inc.: Armonk, 1991) (co-editor-in-chief with Boris M. Klimenko) (joint study with the USSR Diplomatic Academy; published in the Soviet Union as *Международное право и международная безопасность – Диалог советских и американских экспертов* (International Relations: Moscow, 1991))

THE MOSCOW CONFERENCE ON LAW AND ECONOMIC COOPERATION (American Bar Association: Chicago, 1991) (with James R. Silkenat) (published in the Soviet Union as Тезисы выступлений советских и американских докладов – Московская конференция право и экономическое сотрудничество (Union of Jurists: Moscow, 1991))

### **Book Reviews**

[\*Book Review\*](#) (Peter H. Solomon, Jr. & Todd S. Fogelson, *Courts and Transition in Russia: The Challenge of Judicial Reform*, 117 POL. SCI. Q. 165 (2002))

[\*Has Globalization Gone Too Far?\*](#) 18 NW. J. INT'L L. & BUS. 246 (1997)

[\*Book Review\*](#) (Gordon B. Smith, *Reforming the Russian Legal System*), 56 RUSSIAN REV. 492 (1997)

[\*Book Review\*](#) (Robert Rand, *Comrade Lawyer*), 51 RUSSIAN REV. 452 (1992)

[\*Book Review\*](#) (P.I. Stuchka, *Selected Writings*; George Ginsburgs, *The Soviet Union and Legal Cooperation*), 49 RUSSIAN REV. 373 (1990)

[\*Glasnost' and the Soviet System of Justice \(Book Review – Ger P. van den Berg. The Soviet System of Justice: Figures and Policy\)\*](#), 21 LAW & SOC'Y REV. 837 (1988)

[\*Book Review\*](#) (George M. Armstrong, *The Soviet Law of Property*), 34 AM. J. COMP. L. 813 (1986)

*Book Review* (John N. Hazard et al., *The Soviet Legal System: Law in the 1980s*), 12 SOVIET UNION/UNION SOVIÉTIQUE 351 (1985)

[\*Book Review\*](#) (Frank M. Coffin, *The Ways of a Judge*), 67 VA. L. REV. 1447 (1981)

### **In Press**

*Antibribery Law*, in CHANGE IN THE INTERNATIONAL ORDER (Oxford University Press: New York, David Sloss ed., 2021)

*Big Data and the Future Law of Armed Conflict in Cyberspace*, for THE LAW OF ARMED CONFLICT IN 2040 (Oxford University Press: New York, Matthew C. Waxman ed., 2021)

*The Legitimacy of International Law*, for PALGRAVE HANDBOOK OF INTERNATIONAL POLITICAL THEORY (Palgrave MacMillan: New York, Howard Williams, David Boucher, Peter Sutch & David A. Reidy eds., 2022)

*International Human Rights and Multinational Corporations: An FCPA Approach*, 101 B.U. L. REV. \_\_ (2021) (with Pierre-Hugues Verdier)

*Sovereignty and the World Economy*, 17 U. ST. THOMAS L.J. \_\_ (2021)

*Wars of Conquest in the Twenty-First Century and the Lessons of History – Crimea, Panama, and John Bassett Moore*, 62 VA. J. INT'L L. \_\_ (2021)

*The U.S. Context of the Restatement (Fourth) of the Foreign Relations Law of the United States*, 32 EUR. J. INT'L L. \_\_ (2021)

### ***Work in Progress***

THE CRISIS IN INTERNATIONAL LAW – SYSTEM SHOCKS, NATIONAL POPULISM, AND THE BATTLE FOR THE WORLD ECONOMY (under contract with Cambridge University Press for 2022 publication)

DOING BUSINESS IN EMERGING MARKETS – A TRANSACTIONAL COURSE (Foundation Press: New York, 3d ed. 2022) (with Richard N. Dean and James W. Skelton, Jr.)

*The Institutions of Lawmaking for International Humanitarian Law*, 103 INT'L REV. RED CROSS \_\_ (2022)

Applying Municipal Law in International Disputes (for Recueil des Cours, Hague Academy of International Law, 2023)

Early Soviet Contributions to the Development of International Investment Law, for The Soviet Union in the History of International Investment Law Doctrines (Routledge: London, P. Sean Morris ed., 2023)

Appreciating Bob Lutz – Institutional Service and Loyalty in the Twenty-first Century, J. INT'L L. (2022)

### ***Miscellany***

[Foreign Relations and the City](#), in Cities, Geopolitics, and the International Legal Order – Report and Thought Pieces (Perry World House 2019)

[Stephan column: U.S. must not privatize anti-terrorism](#), Richmond Times-Dispatch, Sept. 14, 2016

[Statement of Paul B. Stephan, Professor of Law, University of Virginia Law School](#), JUSTICE AGAINST SPONSORS OF TERRORISM ACT, HEARING BEFORE THE SUBCOMMITTEE ON THE CONSTITUTION AND CIVIL JUSTICE OF THE COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, 114TH CONG., 2D SESS. 60 (2016)

[Perspectives on the Restatement \(Fourth\) Project](#), 109 AM. SOC'Y INT'L L. PROC. 209 (2015)

[Abbott v. Abbott: A New Take on Treaty Interpretation by the Supreme Court](#), ASIL Insights (Aug. 4, 2010)

[Morrison v. National Australia Bank, Ltd.: The Supreme Court Rejects Extraterritoriality](#), ASIL Insights (Aug. 2, 2010)

[Introductory Note to U.S. Supreme Court: Morrison v. National Australia Bank Ltd.](#), 49 INT'L LEGAL MATERIALS 1217 (2010)

[Коррупция – не только российская проблема](#) [*Corruption – Not Only a Russian Problem*], Независимая Газета [INDEPENDENT GAZETTE], Oct. 21, 2008, p. 3

[Does the CISG Fill a Much-Needed Gap?](#) 101 AM. SOC'Y INT'L L. PROC. 414 (2007)

[Don't Feed the Bear](#), THE AMERICAN INTEREST, p. 90 (March/April 2007) (with Hugh Ragsdale)

[The Skeptic Speaks: I am Not a Blind, Pig-Stupid Opponent of Unification](#), 96 AM. SOC'Y INT'L L. PROC. 336 (2002)

FEDERAL ESTATE AND GIFT TAXATION (Emanuel Law Outlines: Larchmont, 2001)

[Introduction](#), 94 AM. SOC'Y INT'L L. PROC. xi (2000)

[International Law and Economics – Remarks](#), 90 AM. SOC'Y INT'L L. PROC. 115 (1997)

[Statement of Paul B. Stephan III, Professor, University of Virginia School of Law, Charlottesville, Virginia](#), ADMINISTRATION'S PROPOSAL RELATING TO THE TAX TREATMENT OF AMERICANS WHO RENOUNCE CITIZENSHIP, HEARING BEFORE THE SUBCOMMITTEE ON OVERSIGHT OF THE COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, 104TH CONG., 2D SESS. 92 (1995)

[Change in the Soviet Union: Political Dynamics in the Gorbachev Era](#) in SOVIET AND POST-SOVIET RUSSIA IN A WORLD IN CHANGE 3 (University Press of America: Lanham, Allen C. Lynch & Kenneth W. Thompson eds. 1994)

The Political Economy of Federalism: The United States Experience and Soviet Problems (for Moscow conference on federalism, December 1991) (published in U.S.S.R. as Политическая экономия федерализма – опыт США и советские проблемы (Gorbachev Foundation: Moscow, 1991)

*A U.S. Perspective on the Legal Environment for Foreign Investment in Russia*, in PRACTICING LAW INSTITUTE, LEGAL AND PRACTICAL ASPECTS OF DOING BUSINESS IN THE SOVIET REPUBLICS (Practicing Law Institute: New York, 1992)

Из почты международных отделов – Советы юриста [Postings from Abroad – A Lawyer's Advice], Правда [PRAVDA], Jan. 16, 1991, p. 7

FEDERAL INCOME TAXATION (Emanuel Law Outlines: Larchmont, 1990, 2nd ed. 1994, 3rd ed. 1997, 4th ed. 2001)

[\*History, Background and Outstanding Problems of the Twenty-Fifth Amendment\*](#) in PAPERS ON PRESIDENTIAL DISABILITY AND THE TWENTY-FIFTH AMENDMENT 63 (University Press of America: Lanham, 1988) (for Commission on Presidential Disability and the Twenty-fifth Amendment)

SIGNIFICANT SUPREME COURT DECISIONS, 1980 TERM (The AEI Press: Washington, D.C., 1985)

*Foreword: The First Amendment and National Security* in THE FIRST AMENDMENT AND NATIONAL SECURITY (Darby Print Co.: Atlanta, 1984) (for Center for Law and National Security, University of Virginia School of Law)

[\*The Breach of Trust behind The Brethren\*](#), VA. L. WKLY., Feb. 22, 1980, at 1, 4

### ***Blog Posts***

[Jurisdiction to Adjudicate under Customary International Law](#) (with William S. Dodge and Anthea Roberts), *Opinio Juris*, September 11, 2018

[After ATS Litigation: A FCPA for Human Rights?](#) (with Pierre Verdier), *Lawfare*, May 7, 2018

[On Is International Law International? – Where Next?](#), *Opinio Juris*, February 8, 2018

[Testimony in Opposition to the Justice Against Sponsors of Terrorism Act](#), *Lawfare*, July 14, 2016

[More Mischief than Guidance: What Zivotofsky Says About the Supreme Court](#), *Lawfare*, June 9, 2015

[Reputation and Responsibility: Moving the Goalposts](#), *EJIL: Talk!*, March 26, 2015



[Taxing Eggs: Paul Stephan](#), The Faculty Lounge, February 26, 2014

[Book Symposium The Electronic Silk Road: Comment by Paul Stephan](#), Opinio Juris, October 22, 2013

[Regulatory Competition and Anticorruption Law](#), CLS Blue Sky Blog, February 21, 2013

[Paul Stephan on ICJ Decision in Jurisdictional Immunities of the State \(Germany v. Italy\)](#), Opinio Juris, February 5, 2012

[Paul Stephan on Erin O'Hara & Larry Ribstein](#), The Law Market, The Conglomerate, March 18, 2009

[Professor Paul Stephan on Sanchez Llamas/Bustillo](#), Opinio Juris, June 29, 2006

### ***Lecturing and Advisory Activities***

#### *international and U.S. governmental organizations*

General Secretariat of Organization of Black Sea Economic Cooperation – advisor on various legal issues (2005-06)

Coalition Provisional Authority of Iraq – site visit to Baghdad to assess rule of law efforts and goals of Iraqi stakeholders (2003)

U.S. Court of Appeals for the Fourth Circuit – speaker at 2001 Judicial Conference

International Bank for Reconstruction and Development (World Bank) – advisor on drafting of Turkmenistan Tax Code (2000)

International Monetary Fund – adviser on implementation of Kazakh tax code and on drafting of Azerbaijan tax code (1998-2000)

U.S. Securities and Exchange Commission – lecturer in International Securities Regulation symposium (1998)

Organization for Economic Cooperation and Development – organized workshops for Central and East European governments on tax dispute resolution (1996-97); presentation to quarterly meeting of Competition Committee of Directorate for Financial, Fiscal and Enterprise Affairs (2004)

Federal Bureau of Investigation – lecturer in programs for combatting international organized and white collar crime involving former Soviet Union (1994-97)

U.S. Department of Treasury – adviser on technical assistance to Central and East European and former Soviet states (1992-98)

Central Intelligence Agency – lecturer on Soviet politics and international law issues (1990)

National Judicial College – organized and taught in training program for Soviet judges (1990)

Treasury Executive Institute, U.S. Department of Treasury – lecturer on Soviet management problems (1989)

U.S. Tax Court – reporter for international conference on courts with tax jurisdiction (1988); organized seminar for Russian judges (1997); speaker at Judicial Conference (2001)

Office of Technology Assessment, U.S. Congress – consultant on problems of First Amendment and information controls (1988)  
Federal Executives Institute – lecturer at seminars on legal aspects of foreign intelligence and post-Soviet politics (1983, 1988)  
Supreme Court of Virginia – lecturer at semiannual district judges conferences and annual judicial conferences (1980-90)  
Delaware Supreme Court – lecturer on recent Supreme Court decisions (1981)

*foreign governments and educational institutions*

Xiamen University – lecture on U.S. foreign relations law (2019)  
Peking University School of Transnational Law – workshop on U.S. foreign relations law (2019)  
City University of Hong Kong – [workshop on U.S. foreign relations law](#) (2019)  
Xi'an Jiaotong University – Innovation Harbour Lecture on U.S. foreign relations law (2019)  
Sapienza Università di Roma – [presentation on international law and self-defense doctrine](#) (2018)  
Melbourne Law School – presentation on U.S. approaches to international law (2017)  
Australian Attorney-General's Department for International Law, Department of Foreign Affairs and Trade, the Centre for International and Public Law and the Australian National University School of Regulation and Global Governance (RegNet) – presentation on international law at a crossroads in the United States (2017)  
Saarland University Europa-Institut – presentation on foreign relations law and international law (2015)  
[Oxford University Public International Law Discussion Group](#) – presentation on foreign relations law and international law (2015)  
Melbourne Law School – presentation on U.S. Restatement of Foreign Relations Law (2015)  
Xi'an Jiaotong University School of Law – presentation on developments in sovereign immunity law (2013)  
Peking University School of Transnational Law – presentation on human rights litigation in U.S. (2013)  
Sydney University – presentation on Yukos disputes (2013)  
Melbourne University – presentation on international courts (2013)  
Hebrew University – panelist for program on International Law Year in Review (2012)  
Xiamen University School of Law – presentation on foreign sovereign immunity (2011)  
Hebrew University – panelist for program on National Courts and the International Rule of Law (2009)  
Interdisciplinary Center Herzliya – panelist for program on Law in a Time of Crisis (2009)  
Max Planck Institute of Comparative Public Law and International Law – panelist for U.S. State Department-German Ministry of Foreign Affairs Conference on Legal Aspects of Global War on Terror (2006)  
Centre Americain, Institut d'Études politiques de Paris – lecturer on U.S. approaches to international law (2004)  
Australian National University – lecturer on U.S. approaches to international law (2004)

Lauterpacht Research Centre for International Law, Cambridge University – lecturer on political economy of international lawmaking (2001)

Diplomatic Academy, Austrian Ministry of Foreign Affairs – lecturer on legal aspects of the post-Communist transition (1998)

Soviet-American Center for the Development of Constitutional Democracy – planning committee (1992-93)

Supreme Court of the Republic of Georgia – co-chair of international working group developing model commercial and business laws (1992-93)

Fund for Education, Ministry of Foreign Affairs of the Republic of Georgia – foreign member of advisory board (1991-92)

Ministry of Foreign Affairs of the Georgian Republic – lecturer on international law and domestic elections (1991)

Diplomatic Academy, Soviet Ministry of Foreign Affairs – lecturer on international law and super-power relations (1990)

Tbilisi State University, Faculty of International Relations – lecturer on international law of trade and economics (1990)

Moscow State University, Faculty of Social Sciences – lecturer on the United States and Perestroika (1990)

*International academic conferences and exchanges*

U.S. Military Academy West Point – presented paper at conference on the law of armed conflict in 2040 (2019)

American Society of International Law – [panel on litigation under the Helms-Burton Act](#) (2019)

Perry World House, University of Pennsylvania, Workshop on Cities, Geopolitics, and the International Legal Order – presented paper (2019)

Center for Transnational Legal Studies, London – panelist on comparative foreign relations law (2019)

William & Mary Law School International Law Workshop – presented paper (2018)

Academic Exchange, Israel – participant, chaired session at High Court (2017)

Colloquium on the United States Constitution and the Law of Nations, Georgetown Law School – presented paper (2017)

Duke-Pretoria University Conference on Comparative Foreign Relations Law, University of Pretoria – presented paper (2017)

South Slavic Branch of International Law Association – paper presented at conference on common law and civil law (2017)

Duke-Geneva University Conference on Comparative Foreign Relations Law – presented paper (2016)

American Society of International Law Annual Meeting – panelist (2015)

American Branch of International Law Association International Law Weekend – panelist and moderator (2014)

British Branch of International Law Association annual meeting – speaker and panelist (2014)

Sapienza Università di Roma Conference on Political Economy of International Law – paper presenter (2014)  
 American Society of International Law Annual Meeting – panelist (2014)  
 International Economic Law Interest Group of American Society of International Law Biannual Meeting – panelist and paper presenter (2012)  
 American Branch of International Law Association International Law Weekend – panelist (2013)  
 American Branch of International Law Association International Law Weekend – panelist (2012)  
 American Political Science Association Annual Meeting – panelist (2011)  
 Russian Society of International Law Annual Meeting – panelist (2010)  
 American Society of International Law Annual Meeting – planning committee, moderator (2009)  
 Sixth World Public Forum Dialogue of Civilizations – speaker (2008)  
 Russian Society of International Law Annual Meeting and Martens Lectures – featured speaker, panel moderator (2008)  
 American Society of International Law Annual Meeting – panelist (2007)  
 European Law and Economics Association Annual Meeting – delivered paper, panelist (2006)  
 Kennan Institute for Advanced Russian Studies – speaker at symposium on Russian Democracy (2006)  
 American Society of International Law Annual Meeting – panelist (2006)  
 American Association for the Advancement of Slavic Studies Annual Meeting – panelist (2005)  
 Federalist Society – speaker at faculty conference (2006), national meeting (2011)  
 Kennan Center for Advanced Russian Studies Conference on Commercial Law Reform in Russia and Eurasia – panel moderator (2005)  
 Bowling Green State University Conference on Justice and Global Politics – delivered paper (2004)  
 Kennedy School of Government, Harvard University, conference on regulatory competition and complementarity – commentator (2004)  
 St. Petersburg Conference on International Energy Policy, the Arctic and the Law of the Sea – panelist (2004)  
 American Constitution Society – speaker at annual meeting (2004)  
 American Enterprise Institute – speaker at conference on sovereignty and antitrust federalism (2004)  
 American Society of International Law Annual Meeting – panelist (2004)  
 American Society of Law and Economics Annual Meeting – delivered paper (2003)  
 American Enterprise Institute Conference on Antitrust Policy: Competition and Cooperation – delivered paper (2003)  
 Clifford Symposium on Civil Litigation – delivered paper (2002)  
 American Society of International Law Annual Meeting – delivered paper (2002)  
 European Law and Economics Association Annual Meeting – delivered paper (2001)  
 Latin American Law and Economics Association Annual Meeting – delivered paper (2000)  
 American Society of International Law Annual Meeting – co-chair of program committee, panelist and panel moderator (2000)  
 Yale Law School Conference on the Rule of Law in the Russian Federation – delivered paper (1999)

American Society of International Law Annual Meeting – delivered paper (1997)  
 Sanford Institute of Public Policy, Duke University – lecture on tax dispute resolution in Russia (1996)  
 International Academy of Comparative Law World Congress – U.S. delegate, delivered paper (1994)  
 International Law Institute – lecturer on privatization and tax reform for Kazakh and Mongolian legal officials and law reform for Russian legal academics (1993)  
 National Democratic Institute for International Relations – election observer for Georgian elections (1992)  
 American Association of Law Schools – lecturer at conference for property law teachers (1992)  
 International Center Moscow Conference on Federalism – planning committee and delivered lead paper (1991)  
 Duke University Conference on Law Reform in the Soviet Union – delivered paper (1991)  
 American Bar Association Moscow Conference on Law and Economic Cooperation – vice chair of executive committee; member of faculty (1990)  
 Association of State Attorney Generals – organized and lectured in program for Soviet procurators (1990)  
 International Conference on Courts with Tax Jurisdiction – reporter for conference and author of lead discussion paper (1987)  
 Commission on Presidential Disability and the Twenty-Fifth Amendment – counsel to the Commission (1986-88)  
 Soviet Jewry Legal Advocacy Center – lecturer on Soviet criminal law and human rights violations (1981)  
 Virginia Hospital Buyers Association – lecturer on contract law at annual seminars (1981)

#### *legal practice*

[Co-Author](#), brief of Amicus Curiae Professors Paul B. Stephan and David P. Stewart, *Scalin v. Société Nationale des Chemins de Fer Français*, No. 18-1887, United States Court of Appeals for the Seventh Circuit (2018)  
[Co-Author](#), brief of Amicus Curiae Professors William S. Dodge and Paul B. Stephan, *Animal Science Products, Inc. v. Hebei Welcome*, No. 16-1220, Supreme Court of the United States, in support of petition for writ of certiorari (2017)  
[Counsel of Record](#), brief of *Amicus Curiae*, *National Foreign Trade Council, Sakwe Balintulo et al. v. Daimler AG et al.*, No. 09-2778-CV, United States Court of Appeals for the Second Circuit (2009)  
[Counsel of Record](#), brief of *Amicus Curiae* The Hon. Alejo Vidal-Quadras, MEP (Spain), Vice President, European Parliament, The Hon. Struan Stevenson, MEP (Scotland), *et al.*, *People's Mojahedin Organization of Iran, v. United States Department of State*, No. 09-1059, United States Court of Appeals for the District of Columbia Circuit (2009)  
[Counsel of Record](#), brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, *Sanchez-Llamas v. Oregon*, No. 04-10566 and *Bustillo v. Johnson*, No. 05-51, Supreme Court of the United States (2006)

[Author](#), brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, *Medellín v. Dretke*, No. AP 75,207, Texas Court of Criminal Appeals (2005)

[Counsel of Record](#), brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, *Medellín v. Dretke*, No. 04-5928, Supreme Court of the United States (2005)

[Counsel of Record](#), brief of *Amicus Curiae* Professors of International Law, Federal Jurisdiction and the Foreign Relations Law of the United States, *Sosa v. Alvarez-Machain*, No. 03-339, Supreme Court of the United States (2004)

Counsel for petitioner, *Hausmaninger v. Commissioner*, U.S. Tax Court

Baker & McKenzie – adviser on civil and criminal matters relating to foreign corrupt payments and foreign investments

WilmerHale – co-counsel on international arbitration matter

Coudert Brothers – adviser on Russian law in civil and criminal matters

Wilmer, Cutler & Pickering – adviser

Institute of Chartered Financial Analysts – tax counsel

#### *Work as expert witness*

U.S. Department of Justice – expert on Russian law in U.S. criminal prosecution

Williams & Connolly – expert on Russian law in U.S. litigation

Rosenfeld & Kaplan – expert on Russian law in U.S. litigation

Whiteford Taylor Preston – expert on Virginia contract law in arbitral proceeding

WilmerHale – expert on Russian and international law in U.S. litigation

De Brauw Blackstone Westbroek N.V. – expert on Russian law in Dutch litigation

Shearman & Sterling – expert on Russian law in U.S., Belgian and French litigation

Horten – expert on Russian law in Danish criminal matter

Three Crowns – expert on Russian law in international arbitration

Kelly Hart – expert on Russian law in U.S. litigation

Gibson Dunn & Crutcher – expert on Russian law in international investment arbitration and Canadian litigation

Olswang LLP – expert on Russian law in English litigation

Holman Fenwick Willan LLP – expert on Russian law in foreign litigation

PCB Litigation LLP – expert on Russian law in English litigation

Bilzen Sumberg – expert on Russian law in international commercial arbitration

Loyens & Loeff N.V. – expert on Russian law in Dutch litigation

Infante, Zumpano, Hudson & Miloch – expert on Russian law in U.S. litigation

Rothgerber Johnson & Lyons – expert on Russian law in U.S. litigation

Bryan Cave – expert on Russian law in English litigation

Moncrief Oil International, Inc. – expert on Russian law in German litigation

Lovells – expert on Russian law in U.S. litigation

Compagnie Noga d'Importation et d'Exportation S.A. – expert on Russian law in English litigation

Fulbright & Jaworski – expert on Russian law in international commercial arbitration

Schindler Cohen & Hochman LLP – expert on Russian law in U.S. litigation  
 DLA Piper Rudnick Gray Cary – expert on Russian law in U.S. litigation  
 Akin Gump Strauss Hauer & Feld – expert on Russian law in U.S. litigation  
 Covington & Burling – expert on Russian law in international investment arbitrations  
 Morvillo, Abramowitz, Grand, Iason & Silberberg – expert on Russian law in U.S. litigation  
 Piper Rudnick – expert on Russian law in U.S. litigation  
 White & Case – expert on Russian law in U.S. litigation  
 Perkins Coie – expert on Russian law in U.S. litigation  
 Winston & Strawn – expert on Russian law and Azeri law in U.S. criminal proceeding and Russian law in U.S. litigation  
 Sullivan & Cromwell – expert on Russian law in U.S. litigation  
 Munger Tolles & Olson – expert on international business practices in Marshall Islands litigation  
 Latham & Watkins – expert on Russian law in U.S. litigation  
 Williams & Connolly – expert on international financial transactions in U.S. litigation  
 Hogan & Hartson – expert on Russian law in U.S. litigation  
 Steptoe & Johnson – expert on Russian law in English litigation  
 Wilmer Cutler & Pickering – expert on U.S. tax law in international commercial arbitration  
 Richards Butler – expert on international-letter-of-credit law in English litigation  
 Jenner & Block – expert on Russian law in U.S. litigation  
 Films By Jove, Inc. – expert on Russian law in U.S. litigation

*judicial citations of expert opinions*

Yukos Capital Limited v. Russian Federation, PCA Case No. 2013-31, Final Award, Jul. 23, 2021  
Veteran Petroleum Ltd. et al. v. Russian Federation, No. 200.197.069.001, ruling of Feb. 18, 2020 (Hague Court of Appeals) (issues of Russian law affecting jurisdiction of arbitral tribunal)  
United States v. Concord Management and Consulting, Ltd., Case No. 18-CR-32, ruling of Jan. 24, 2020 (D.D.C.) (issues of Russian law relevant to enforcement of U.S. subpoena)  
The Russian Federation v. Luxtona Limited, 2019 ONSC 4503 (Ontario Superior Court of Justice) (qualifications as an expert witness on questions of Russian law)  
Unique Goals International, Ltd. v. Finskiy, No. 655692/2017, 2018 WL 5634326 (N.Y. Sup. Ct. 2018) (issue of applicable Russian statute of limitations)  
Liebovitch v. Islamic State of Iran, 297 F. Supp. 2d 816 (E.D. Ill. 2018) (issue of limits on national jurisdiction imposed by international law)  
Luxtona Limited v. Russian Federation, PCA Case No. 2014-09, Interim Award on Jurisdiction, Mar. 22, 2017 (issue of Russian law of domestic application of international law)  
Archangel Diamond Corporation Liquidating Trust v. OAO Lukoil, 75 F. Supp. 3d 1343 (D. Col. 2014) (issue of adequacy of Russian courts for purposes of forum non conveniens)  
Hulley Enterprises Limited (Cyprus) v. Russian Federation, PCA Case No. AA 226, Final Award, Jul. 18, 2014 (issue of Russian tax law)  
JSC VTB Bank v. Skurikhin, [2014] E.W.H.C. 271 (Comm.) (issue of availability of legal defense to action on a debt in Russian courts)  
Yukos Capital Sarl v. OJSC Rosneft Oil Co., [2012] E.W.C.A. Civ. 855 (issue of adequacy of Russian courts for purposes of recognizing a Russia court judgment)



[Quasar de Valores SICA V S.A. v. Russian Federation](#), Arbitration Institute of the Stockholm Chamber of Commerce, Award, Jul. 20, 2012 (issue of Russian tax law)

[Creditanstalt Investment Bank AG v. Holme Roberts & Owen](#), 01-CV-1677 (Denver Dist. Ct. 2011) (issue of contractual liability under Russian Civil Code)

[Pacific International Sports Clubs Ltd. v. Soccer Marketing International Ltd.](#), [2009] E.W.H.C. 1839 (Ch.) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)

[Cherney v. Deripaska](#), [2008] E.W.H.C. 1530 (Comm.) (issue of adequacy of Russian courts for purposes of *forum non conveniens*), *on appeal*, [2009] [All Eng. Rep. D 02](#) (C.A.)

United States v. Kozeny, [582 F. Supp. 2d 535](#) (S.D.N.Y. 2008), [664 F. Supp. 2d 369](#) (S.D.N.Y. 2009) (issue of legality of bribe payment under Azeri law)

[Whale Telecom Ltd. v. Qualcomm Inc.](#), \_\_ Misc. 3d \_\_ (N.Y. Sup. Ct. 2006) (issue of Russian statute of limitations), *aff'd*, 41 A.D.3d 348, 839 N.Y.S.2d 726 (N.Y. App. Div. 2007)

[Norex Petroleum Ltd. v. Access Industries Inc.](#), 304 F. Supp. 2d 570 (S.D.N.Y. 2004) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)

[JSC Foreign Economic Ass'n Technostroyexport v. International Development and Trade Services, Inc.](#), 295 F. Supp. 2d 366 (S.D.N.Y. 2003) (issue of Russian statute of limitations)

[Base Metal Trading, S.A. v. Russian Aluminum](#), 253 F. Supp. 2d 681 (S.D.N.Y. 2003) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)

Films By Jove, Inc. v. Berov, [154 F. Supp. 2d 432](#) (E.D.N.Y. 2001), [250 F. Supp. 2d 156](#) (E.D.N.Y. 2003) (issues of ownership of copyright under Soviet law and effect of conversion of state enterprise into lease enterprise)

[Pavlov v. Bank of New York Co.](#), 135 F. Supp. 2d 426 (S.D.N.Y. 2001) (issue of adequacy of Russian courts for purposes of *forum non conveniens*)

#### *summer teaching*

Martens Summer School on International Law, University of Tartu Pärnu College – guest professor, 2019

Westfälische Wilhelms-Universität, Münster – guest professor, 2000, 2005

University of San Diego International and Comparative Law Institute, Paris – visiting professor, 1998, 1999, 2008, 2014

Russian Law Institute, Emory University, Moscow – instructor, 1994

Cardozo Law School Summer Institute at Moscow State Institute for International Relations – visiting professor and educational director, 1991

Virginia Law School LL.M. in the Judicial Process – instructor, 1981, 1985, 1987, 1989, 1997, 2000

#### ***Professional Membership and Affiliations***

Member, Bar of the Supreme Court of United States, U.S. Court of Appeals for the District of Columbia Circuit, U.S. Tax Court, Virginia, and District of Columbia

American Law Institute (life member)



American Society of International Law (member of Executive Council, 2012-15; member of organizing committee, 2000 Annual Meeting)

International Law in Domestic Courts Interest Group, American Society of International Law (co-chair 2008-10)

International Economic Law Interest Group, American Society of International Law (member of Advisory Board)

American Branch, International Law Association

Editorial Board, Review of Law and Economics

Co-Editor, European Law Abstracts, Legal Scholarship Network

Advisory Board, Comparative Law Abstracts, Legal Scholarship Network

Contributing Editor, Preview of United States Supreme Court Cases, Public Education Division, American Bar Association

Omicron Delta Kappa

American Bar Association Section on International Law and Practice – Chair, Special Committee on Soviet law projects; member, council (1991-94); member of advisory committee for Soviet lawyer internship projects; chair of committee on legal education

American Bar Association Central and East European Law Initiative – Chair, Commonwealth Planning Group, and participant in assessment trips and workshops in Moscow and Kiev; member of advisory board (1992-95)

Forum for U.S.-Soviet Dialogue – chair (1986-89), board of directors (1983-91), conference participant (1982-84, 1986-91)