





# 6th Annual Alexander C. Cushing International Law Conference

# Multi-Domain Operations in the Indo-Pacific and International Law

Stockton Center for International Law
U.S. Naval War College, Newport, Rhode Island
May 14-16, 2024

The Stockton Center for International Law is pleased to announce its 6th Annual Alexander C. Cushing International Law Conference, "Multi-Domain Operations in the Indo-Pacific and International Law," May 14-16, 2024.\*

\* On May 17, 2024, the authors and invited reviewers of the 2023 Newport Manual on the Law of Naval Warfare will continue meeting to discuss potential revisions to the Manual.

Multi-Domain Operations are the combined arms employment of joint capabilities to create and exploit advantages, achieve objectives, and defeat enemy forces. These operations make use of all available combat power from the armed forces to accomplish missions at the least cost. This expansive approach to all-domain combat operations necessitates a similarly broadened and interdisciplinary approach to the application of international law governing these operations.

The 6th Annual Cushing Conference will address a broad range of issues, including the international laws applicable to land, air, and naval operations in the Indo-Pacific; the synchronization of special operations, cyber operations, and space operations; China and the law of armed conflict; commercial vessels and the law of naval warfare; hybrid threats at sea; and foreign perspectives on Multi-Domain Operations. The Cushing Conference brings together international organizations, the global academic community, military and government attorneys, and experts in military operations from throughout the world. Selected research presented at the event will be published in *International Law Studies*, the oldest journal of international law in the United States.

### **TENTATIVE AGENDA – Subject to change**

(all times in Eastern Standard Time)

# Monday, May 13

**1800-2000** No-host social at the Wyndham Newport Hotel (240 Aquidneck Ave., Middletown, RI)

**Dress Code**: Casual

# Tuesday, May 14 (Spruance Auditorium)

#### Dress Code:

Civilians: Business casual

USN: Khakis
USMC: Service C
USA: Service Class B
USAF: S/Sleeve no tie
USCG: Tropical Blue Long

0750 Transportation departs the Wyndham Newport Hotel for Spruance Auditorium

**0800** Conference check-in begins / Coffee hour in Spruance Auditorium lobby

#### 0855 Administrative Remarks

Major John C. Tramazzo, U.S. Army, Military Professor, Stockton Center for International Law, U.S. Naval War College

Major Kevin S. Coble, U.S. Army, Military Professor, Stockton Center for International Law, U.S. Naval War College

#### 0900 Opening Welcome

Professor James Kraska, Charles H. Stockton Chair of International Maritime Law and Chair, Stockton Center for International Law

Dr. Paul Brister, Dean, Center for Naval Warfare Studies, U.S. Naval War College

#### 0915 Welcome Address

Rear Admiral Peter Garvin, U.S. Navy, President, U.S. Naval War College

## 0930 The Judge Advocate General's Keynote Address

Vice Admiral Darse E. "Del" Crandall, Jr., U.S. Navy

1000 Coffee Break

## 1030 Session 1: Multi-Domain Operations and International Law

<u>Moderator:</u> Colonel Ryan Dowdy, U.S. Army, Chief of the National Security Law Division, Office of the Judge Advocate General

Colonel Joseph M. Fairfield, U.S. Army, Principal Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff

Colonel J. J. Merriam, U.S. Army, Staff Judge Advocate, I Corps

Professor Michael W. Meier, Visiting Professor of Practice, Acting Director of the International Humanitarian Law Clinic, Emory University School of Law

1200 Lunch - Naval Station Newport Officers' Club

#### 1330 Session 2: Expeditionary Advanced Basing Operations and International Law

Moderator: Lieutenant Colonel P.C. Combe II, Headquarters, U.S. Marine Corps

Lieutenant Colonel John Cacioppo, U.S. Marine Corps, Staff Judge Advocate, 3d Marine Division

Professor David Letts, Director, Centre for Military and Security Law; Associate Professor, Australian National University

Lieutenant Colonel Matt Montazzoli, U.S. Army, Operations Law Officer, 1st (Australian) Division, Military Professional Exchange Program

1500 Break

# 1530 Session 4: Keynote Address – International Humanitarian Law at Risk

Professor Michael N. Schmitt, Professor Emeritus and Distinguished Scholar-in-Residence, United States Naval War College; G. Norman Lieber Distinguished Scholar, West Point Lieber Institute for Law & Warfare

- 1615 Closing Remarks and Administrative Announcements
- **1620** Conference Photo (Colbert Plaza)

1645 Transportation departs conference venue for Wyndham Newport Hotel

1900 Speaker Dinner (by invitation only; Wyndham Newport Hotel)

Dress Code: Business casual

### Wednesday, May 15 (Spruance Auditorium)

0750 Transportation departs Wyndham Hotel for Spruance Auditorium

**0830** Opening Remarks by Professor Raul (Pete) Pedrozo, Howard S. Levie Professor of the Law of Armed Conflict, Stockton Center for International Law

### 0840 Session 5: Keynote Address

Admiral Harry Harris, U.S. Navy (Ret.), 24th Commander of the U.S. Pacific Command and Former U.S. Ambassador to the Republic of Korea

#### 0915 Session 6: Normative Authority and Competition in International Law

Moderator: Professor Peter S. Margulies, Professor of Law, Roger Williams Law School

Professor Christopher Borgen, Professor of Law and Co-Director, Center for International and Comparative Law, St. John's University School of Law

Professor Kal Raustiala, Promise Distinguished Professor of Comparative and International Law, UCLA School of Law

Dr. Jill Goldenziel, Professor, College of Information and Cyberspace, National Defense University

1030 Break

# 1100 Session 7: Keynote Address - Technology, Future Warfare, and the Law of Armed Conflict

Brigadier General (Ret.) R. Patrick Huston, U.S. Army

1130 Lunch - Naval Station Newport Officers' Club

#### 1300 Session 8: Special Operations, Space, and Cyber Law Challenges

<u>Moderator</u>: Colonel Cara Hamaguchi, U.S. Army, Staff Judge Advocate, Joint Special Operations Command

Colonel Sean McMahon, U.S. Army, Staff Judge Advocate, U.S. Special Operations Command

Captain Peter Pascucci, U.S. Navy, Fleet Judge Advocate, U.S. Fleet Cyber Command/U.S. Navy Space Command/U.S. TENTH Fleet

Professor Frans von der Dunk, Professor of Space Law, University of Nebraska

1430 Break

1500 Session 9: Keynote Address – Israel and Hamas

Colonel (Ret.) Adam Oler, U.S. Air Force, Associate Dean of Academics and Professor of Strategy, National War College

1545 Session 10: Fireside Chat - Israeli Operations and the Law of Armed Conflict

<u>Moderator</u>: Dr. Jennifer Maddocks, Assistant Professor, Department of Law, United States Military Academy, West Point

Professor Michael N. Schmitt, Professor Emeritus and Distinguished Scholar-in-Residence, United States Naval War College; G. Norman Lieber Distinguished Scholar, West Point Lieber Institute for Law & Warfare; and

Professor Yuval Shany, Hersch Lauterpacht Chair in Public International Law, The Hebrew University of Jerusalem

**1645** Break

1700 Session 11: Keynote Address – Israel Defense Forces Perspective

Brigadier General Roni Katzir, Head of the International Law Department, Military Advocate General's Corps, Israel Defense Forces

1740 Transportation departs conference venue for Wyndham Newport Hotel

# Thursday, May 16 (Pringle Auditorium)

0750 Transportation departs Wyndham Newport Hotel for Pringle Auditorium

**0825** Remarks by Professor Peter Dutton, Stockton Center for International Law, U.S. Naval War College

#### 0830 Session 12: Strategic Perspectives on Indo-Pacific Security

<u>Moderator</u>: Commander Tim Boyle, U.S. Navy, Office of the Staff Judge Advocate, U.S. Indo-Pacific Command

Rear Admiral (Ret.) Katsuya Yamamoto, JMSDF; Program Director and Senior Research Fellow Security Studies Program, Sasakawa Peace Foundation

Professor Amruta Karambelkar, Assistant Professor of International Relations and Security Studies, School of International Cooperation, Security and Strategic Languages, Rashtriya Raksha University

Dr. Liselotte Odgaard, Non-Resident Senior Fellow, Hudson Institute

#### 0945 Break

#### 1015 Session 13: Confronting Threats in the Maritime Domain

<u>Moderator</u>: Professor David Bosco, Associate Professor, Hamilton Lugar School of Global and International Studies, Indiana University Bloomington

Dr. Jay L. Batongbacal, Professor, University of the Philippines College of Law; Director, University of the Philippines Institute for Maritime Affairs & Law of the Sea

Commander J. Travis Noyes, U.S. Coast Guard, Chief, Office of Maritime & International Law

Commander Takeshi Ohchi, Law of the Sea Division, International Legal Affairs Bureau, Ministry of Foreign Affairs, Japan

#### 1145 Lunch - Naval Station Newport Officers' Club

# 1300 Session 14: Keynote Address - Threats to the Rule of Law in the Indo-Pacific

Mr. Hideshi Tokuchi, President, Research Institute for Peace and Security, Tokyo, Japan and former Vice-Minister of Defense for International Affairs

#### 1330 Session 15: Commercial Vessels in the Law of Naval Warfare

<u>Moderator</u>: Professor Namhee Kwon, Faculty of Policy Studies Department of Global and Asian Policy Studies, Kansai University

Commander Koki Sato, Legal Officer, Operational Law Office, JMSDF Command and Staff College

Ms. Dita Liliansa, Research Fellow, Centre for International Law, National University of Singapore

Colonel Staff Judge Advocate (Ret.) Lipin Tien, Taiwan

#### 1500 Break

# 1530 Session 16: Emerging Issues in Hybrid Warfare at Sea

<u>Moderator</u>: Commander Prema McIntosh, Royal New Zealand Navy, Assistant Professor, Department of Law, U.S. Military Academy

Prof. Wolff Heintschel von Heinegg, Chair of Public International law, European Law and Foreign Constitutional Law, Europa-Universität Viadrina

Commander Yusuke Saito, Legal Officer, Operational Law Office, JMSDF Command and Staff College

Major Alisa Kaplan, Head of the Operational Law Section, International Law Division, Israel Defense Forces

1700 Closing Remarks

1710 Transportation departs Spruance Auditorium for Wyndham Newport Hotel

# Friday, May 17- Special Sessions on the Newport Manual on the Law of Naval Warfare (Quinn Lecture Hall)

0750 Transportation departs Wyndham Newport Hotel for Quinn Lecture Hall

0830 Session 17: Newport Manual 2.0 Peer Review Discussion (Chapters 1-4)

<u>Moderator</u>: Professor David Letts, Director, Centre for Military and Security Law; Associate Professor, Australian National University College of Law

1030 Break

1100 Session 18: Newport Manual 2.0 Peer Review Discussion (Chapters 5-8)

<u>Moderator</u>: Professor Wolff Heintschel von Heinegg, Chair of Public International law, European Law and Foreign Constitutional Law, Europa-Universität Viadrina

1230 Working Lunch

1330 Session 19: Newport Manual 2.0 Peer Review Discussion (Chapters 9-12)

<u>Moderator</u>: Professor Wolff Heintschel von Heinegg, Chair of Public International law, European Law and Foreign Constitutional Law, Europa-Universität Viadrina

1500 Close the Conference

# **Confirmed Newport Manual Discussants**

Professor James Kraska, Charles H. Stockton Chair of International Maritime Law and Chair, Stockton Center for International Law, U.S. Naval War College

Captain Hiroshi Onzo, Director, Operational Law Office, JMSDF Command and Staff College

Dr. Kim Wonhee, Director, Ocean Law Research Department, Korea Institute of Ocean Science and Technology

Mr. Hideshi Tokuchi, President, Research Institute for Peace and Security, Tokyo, Japan and former Vice-Minister of Defense for International Affairs

Dr. Young Kil Park, Research Fellow, Korea Maritime Institute

Professor Raul (Pete) Pedrozo, Howard S. Levie Chair of the Law of Armed Conflict; Professor, Stockton Center for International Law, U.S. Naval War College

Dr. Sam Man Chung, Director, Center for Maritime Security, Korea Institute of Maritime Strategy

Captain (Ret.) Jay Crisfield, Editor in Chief, International Law Studies, Stockton Center for International Law, U.S. Naval War College

Rear Admiral (Ret.) Katsuya Yamamoto, JMSDF; Program Director and Senior Research Fellow Security Studies Program, Sasakawa Peace Foundation

Captain Katsuo Hirano, JMSDF, Assistant Legal Affairs General for International/Operational Law, Maritime Staff Office, Japan Maritime Self-Defense Force

Captain (Ret.) Minseog Kim, Republic of Korea Navy; Professor, Korean Naval War College

Captain (Ret.) Seiji Kurosawa, JMSDF and former Director, Operational Law Office, JMSDF Command & Staff College

Mr. Jochen Katze, Branch Head, International and Operational Law, German Federal Ministry of Defence

Mr. Bernd Stolzenwald, Legal Advisor, German Joint Forces Operations Command

Dr. Bill Boothby, (Air Commodore, United Kingdom Royal Air Force (Ret.)), Honorary Professor, Australian National University College of Law

Professor Dr. Anna Petrig, LL.M., Chair of International Law and Public Law, Faculty of Law, University of Basel

Professor Peter Dutton, Professor, Stockton Center for International Law, U.S. Naval War College

Dr. Jill Goldenziel, Professor, College of Information and Cyberspace, National Defense University

Captain Jean-Emmanuel Perrin, Deputy Legal Advisor, French Navy Headquarters

Captain Martin Fink, Royal Netherlands Navy; Associate Professor of Military Law, Netherlands Defence Academy

Colonel Staff Judge Advocate (Ret.) Lipin Tien, Taiwan

Commander Abhimanyu Singh, Judge Advocate (Naval Operations), Indian Navy

Commander (Royal Danish Navy), Ph.D., Kenneth Øhlenschlæger Buhl, Research Fellow, Institute for Strategy and War Studies, Royal Danish Defence College, and Visiting Associate Professor of Department of Law, University of Southern Denmark

Commander Prema McIntosh, Royal New Zealand Navy, Assistant Professor, Department of Law, United States Military Academy, West Point

Commander Yusuke Saito, Legal Officer, Operational Law Office, JMSDF Command and Staff College

Commander Takeshi Ohchi, JMSDF, Law of the Sea Division, International Legal Affairs Bureau, Ministry of Foreign Affairs, Japan

Commander Koki Sato, Legal Officer, Operational Law Office, JMSDF Command and Staff College

Commander Richard Smith, Legal Advisor, International Law, Royal Navy (United Kingdom)

Lieutenant Commander Eunsu Ko, Professor, Korean Naval Academy

Major Lan Pham, Legal Officer, Canadian Armed Forces

Captain Chelsea Flintoff, Legal Officer, Canadian Armed Forces

Captain Alisa Kaplan, Legal Advisor, Israel Defense Forces

Commander Tim Boyle, Office of the Staff Judge Advocate, U.S. Indo-Pacific Command

Professor Amruta Karambelkar, Assistant Professor of International Relations and Security Studies, School of International Cooperation, Security and Strategic Languages, Rashtriya Raksha University

Professor Namhee Kwon, Faculty of Policy Studies Department of Global and Asian policy Studies, Kansai University

Ms. Dita Liliansa, Research Fellow, Centre for International Law, National University of Singapore

Ms. Abby Zeith, Legal Advisor, Arms and Conduct of Hostilities Unit, International Committee of the Red Cross

Ms. Tracey Begley, Deputy Head of Legal Department, International Committee of the Red Cross