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INTERNATIONAL LAW AND IMMIGRATION

CALIFORNIA
LAWYERS
ASSOCIATION

ILS NEWS (OCTOBER 2021)

Editor-in-Chief: Tiffany Heah

Managing Editor: Cathy Carlisle

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OUTGOING CHAIR'S COMMENT



Dear ILS Members,

We have just come off our Annual Meeting, which marks the end of the Section's fiscal year. Although our activities have been curtailed by COVID, we did achieve a number of things during the

past year. For example, we have, through the efforts of Payal Sinha and Josh Surowitz, expanded our presence and offerings in the field of immigration law.

We concluded a Friendship Agreement with the Law Society of Hong Kong and are close to concluding one with a third Japanese bar association.

At the Annual Meeting, we awarded the Warren M. Christopher International Lawyer of the Year Award to Barry Fisher, Esq. for his work with oppressed peoples throughout Europe, Asia and the Middle East. This award is given annually for distinguished service in the promotion of the rule of law or for significant achievement in the practice of international law. Many thanks to Jeff Daar for his tireless effort in leading the award committee and bringing this to fruition.

With this message, I want to express my thanks and appreciation all the members of the Executive





Committee, and especially to Tiffany Heah, who has served as Editor of *ILS NEWS* since February, and has served as a Vice Chair of the Section for the past two years. And to congratulate her! As of the close of the Annual Meeting on September 26, she is Chair of the Section. I wish her well in her tenure.

In closing, I want to thank you, the Section members, for your continued interest and involvement.

William Tolin Gay¹

INCOMING CHAIR'S COMMENT



Dear ILS Members,
I am very excited and honored to be the ILS Chair for 2021/2022. We have a lot of exciting plans and programs for the upcoming term.

Our goal this term is to create more value for our members.

Currently, we are working with the Real Property Section and our foreign bar friends to launch the Global Commercial Leasing Webinars starting with Ireland, Jamaica, Malaysia and Japan. We are also working with the Litigation Section to bring you a webinar on Accelerating Change from our Blind Spots in International Dispute Resolution and California International Arbitration Week from March 14 to 18, 2021. Our friends in Ireland are helping us to organize a program regarding EU's Digital Services Act.

We are also taking this opportunity to revamp the Journal. Let us know what would be of interest to you by clicking on [this link and completing the survey](#).

Since I will need to concentrate on my new role as ILS Chair, this will be my last edition of the *ILS NEWS* as

Editor-in-Chief. Cathy Carlisle and Melissa Allain will be taking over from here and I have full faith that they will do an awesome job.

I would also like to take this opportunity to express my gratitude and appreciation to all the members of the Executive Committee, especially those who completed their service in FY 2021. A special thanks to our former ILS Representative, Brian Arbetter, who zealously fought for ILS at the CLA level.

Given how diverse our members are compared to other sections, we are hoping to appeal to as many ILS members as possible. If you have any ideas or suggestions (whether it is for the *ILS NEWS*, specifically, or ILS generally), please email us at ils@calawyers.org. We look forward to hearing from you.

Tiffany Heah²

INTERNATIONAL PRIVATE (COMMERCIAL) AND PUBLIC LAW DEVELOPMENT HIGHLIGHTS

This column focuses on developments of note that impact California transnational legal practice. While the developments below were collected by the editors during the period of July 2021 to October 7, 2021, the *ILS NEWS* welcomes Section members bringing other developments to our attention and invites readers to contribute related short updates.

The Build Back Better Agenda

The House Ways and Means Committee are working on legislation that includes President Biden's Build Back Better agenda. The proposal includes making changes to the international tax system, including raising the Global Intangible Low-Taxed Income (GILTI) tax rate, tightening GILTI rules and imposing a new limit on interest expense.

¹ Attorney at Law, Wilson Elser Moskowitz Edelman & Dicker LLP.

² Attorney at Law, Law Office of Tiffany Heah, APC.



For a summary of the Build Back Better agenda from the White House, click [here](#). If you are looking for details and analysis of the \$3.5T Budget Reconciliation Bill, click [here](#).

US-EU Trade and Technology Council (TTC)

On September 29, 2021, the TTC met for the first time in Pittsburgh, PA. The goal is to collaborate to promote shared economic growth that benefits the US and the EU, grow the transatlantic trade and investment relationship, right the climate crisis, protect the environment, promote workers' rights, combat child and forced labor, expand resilient and sustainable supply chains and expand cooperation on critical and emerging technologies. For more information, click [here](#) and [here](#).

Super-Polluting Hydrofluorocarbons (HFCs)

On September 23, 2021, the Biden Administration announced a set of actions to phase down HFCs. The EPA will release new rules to reduce HFCs. The four main action areas are: (1) preventing illegal trade, production, use and sale of HFCs; (2) supporting the development of HFC alternatives; (3) managing HFC stocks to use recovered HFCs instead of newly manufactured HFCs; and (4) advancing research and testing to identify HFC alternatives. For more information, click [here](#).

Vertical Merger Guidelines

The Federal Trade Commission (FTC) voted to withdraw from the 2020 Vertical Merger Guidelines which were issued jointly with, and remain in place at, the Department of Justice (DOJ). According to the DOJ, the Horizontal Merger Guidelines and the Vertical Merger Guidelines are designed to provide increased transparency and guidance to the public on how the department makes law enforcement decisions. The DOJ will be working closely with the FTC to update the guidelines as appropriate. For more information, click [here](#).

Aon's Acquisition of Willis Towers Watson

On June 16, 2021, the DOJ filed a civil antitrust lawsuit to block Aon's \$30B proposed acquisition of Willis Towers Watson that would result in merging two

of the three global insurance brokers. It is alleged that the merger threatens to eliminate competition, raise prices and reduce innovation. The DOJ is of the view that the divestitures by Aon and Willis Towers Watson in connection with investigations by various international competition agencies are inadequate to protect consumers in the US. For more information, click [here](#).

Cryptocurrencies

On September 15, 2021, China's central bank, together with nine (9) other Chinese government agencies, declared that all cryptocurrency-related transactions are illegal in China and must be banned, citing concerns around national security and the "safety of people's assets." It also said that foreign exchanges are banned from providing services to users in the country.

The central bank said cryptocurrencies, including Bitcoin, Ethereum and Tether, cannot be circulated in the market as they are not legal tender. The surge in usage of cryptocurrencies has disrupted "economic and financial order," and prompted a proliferation of "money laundering, illegal fund-raising, fraud, pyramid schemes and other illegal and criminal activities," it said.

To view the press release, click [here](#).

Ireland

On October 7, 2021, The Minister of Finance of Ireland announced that the Irish Government approved "for Ireland to sign up to the political agreement at the OECD Inclusive Framework on a new tax framework to address the tax challenges of digitalization." This would result in (1) reallocation of a profits based on the jurisdiction of the consumers; and (2) multinationals with global revenues in excess of 750M € will be subject to a new global minimum tax rate of 15%. For more information, click [here](#).



OTHER INTERNATIONAL ORGANIZATIONS AND INTERNATIONAL AGREEMENTS

United Nations

Commitment by US to End Hunger and Malnutrition and Build Sustainable Resilient Food Systems

During the UN General Assembly Address on September 21, 2021, the US made a \$10B commitment to end hunger and invest in food systems at home and abroad. For more information, click [here](#).

International Criminal Court (Report of Activity — June 2021 – September 2021)

by Sean Butler³

From the ICC website:

The Office of the Prosecutor (OTP) of the ICC conducts independent and impartial preliminary examinations, investigations and prosecutions of the crime of genocide, crimes against humanity, war crimes and the crime of aggression. Since 2003, the OTP has conducted investigations in: Uganda; the Democratic Republic of the Congo; Darfur, Sudan; the Central African Republic (two distinct situations); Kenya; Libya; Côte d'Ivoire; Mali; Georgia, Burundi; Bangladesh/Myanmar, Afghanistan (subject to a pending article 18 deferral request); Palestine; and the Philippines. The OTP is conducting preliminary examinations relating to the situations in: Bolivia; Guinea; Venezuela I and Venezuela II; and has completed its preliminary examinations of the situations in Ukraine and Nigeria, which are pending requests to seek authorization to proceed to investigation.

The [ICC website](#) and Facebook page has other information, including regarding closed investigations and cases, policy statements, and the Trust Fund for Victims.

New Prosecutor Sworn In:

On June 16, 2021, Karim Asad Ahmad Khan of the United Kingdom was sworn in as Prosecutor for a term of nine (9) years.

Prosecutor Appoints Seventeen Special Advisors:

In a September 17, 2021 press release, the [Prosecutor announced the appointment of seventeen \(17\) special advisors](#) with expertise regarding certain situations, certain crimes, and for the first time, three (3) who are without a portfolio. A list of those appointed with their bios is available [here](#).

Afghanistan:

On August 17, 2021, [Prosecutor Karim Khan issued a statement](#) regarding escalating violence in Afghanistan reminding all parties that the ICC is seized of the situation in Afghanistan for the period commencing May 1, 2003 and continuing through the present.

On September 26, 2021, the [Prosecutor issued a second statement](#) regarding the application for an expedited order regarding resumption of the investigation regarding Afghanistan. The former Afghan government made a deferral request based on complementarity, claiming it would conduct genuine investigations and prosecutions. With the change of government, the Prosecutor is seeking an order ending deferral of the investigation of the situation in Afghanistan.

Central African Republic:

The trial of Patrice-Edouard Ngaïssona and Alfred Yekatom opened February 21, 2021 in Trial Chamber V for war crimes and crimes against humanity including directing attacks on civilian populations and is ongoing.

On April 15, 2021, Pre-Trial Chamber II issued a decision on participation of victims in the case against Mahamat Said Abdel Kani, who was surrendered to the Court in January 2021. On September 14, 2021

³ Attorney-at-Law, Los Angeles; Chair, International Criminal Court Alliance.



the Appeals Chamber rejected the appeal of Said regarding the participation of victims and confirmed the decision of Pre-Trial Chamber II on participation of victims. The Appeals Chamber held that exceptions to the transmission of copies of victims' applications to the parties are permissible as long as this is not prejudicial to, or inconsistent with, the rights of a suspect or an accused to a fair trial. It found that it is incumbent upon a chamber to strike the right balance among all of the interests at stake. Confirmation of charges hearings are scheduled to commence October 5, 2021.

Kenya:

On July 15, 2021, Pre-Trial Chamber A confirmed charges against Paul Gicheru, a Kenyan attorney accused of offenses against the administration of justice by corruptly influencing witnesses.

Mali:

On July 14, 2020, the trial of Al Hassan commenced. He is accused of crimes against humanity and war crimes, consisting of crimes of sexual violence in Mali between April 2012 and January 2013. On July 1, 2021, the Appeals Chamber issued a decision regarding "variation of legal characterization" of charges, finding the Trial Chamber did not commit error by giving notice of possible re-characterization regarding certain police reports allegedly drafted or signed by Al Hassan, as the re-characterization did not exceed the 'facts and circumstances' described in the charges.

The Philippines:

On September 15, 2021, Pre-Trial Chamber I authorized investigation into crimes within the jurisdiction of the Court allegedly committed in connection with the "war on drugs" between November 1, 2011 and March 16, 2019. The Philippines withdrew from the Rome Treaty by written notification March 17, 2018, effective one year later, March 17, 2019.

Sudan (Darfur):

On August 3, 2021, the Council of Ministers in Sudan voted unanimously to join the ICC. The Sovereign

Council must still vote on whether or not to join the ICC.

Confirmation of charges hearing for Abd-Al-Rahman, who is suspected of 31 counts of war crimes and crimes against humanity allegedly committed between August 2003 and at least April 2004 in Darfur, Sudan, were held May 24-26, 2021. Pre-Trial Chamber II confirmed charges on July 9, 2021. Trial is scheduled for April 5, 2022.

Prosecutor Karim Khan visited Sudan for a week concluding August 13, 2021, with the signing of a new Memorandum of Understanding that includes all individuals against whom arrest warrants have been issued.

Preliminary Examinations:

Ongoing preliminary examinations include the following:

- Alleged war crimes committed since November 1, 2009 and alleged crimes against humanity committed since November 1, 2002 in Colombia;
- Alleged crimes against humanity committed in the context of the September 28, 2009 events in Conakry, Guinea;
- The preliminary examination concluded with a determination to request authorization from the Pre-Trial Chamber to open an investigation regarding Nigeria and Boko Haram;
- Alleged crimes committed in the situation in Ukraine since November 21, 2013;
- Alleged crimes committed since at least April 2017, in the context of demonstrations and related political unrest in Venezuela, and a second situation, a self-referral made by Venezuela on February 14, 2020; and
- Alleged crimes against humanity committed in Bolivia in August 2020.



European Court of Human Rights decision of September 2nd in the case *Sanchez v. France*

By Dan Shefet⁴

The European Court of Human Rights (“ECHR”) has struggled for some years now with platform liability for third party generated content.

The question is of course whether such liability violates Article 10 (the free speech provision of the European Convention of Human Rights).⁵

The breakthrough came in the decision from June 16, 2015 – the famous [Delphi v. Estonia case](#) where holding the platform liable for third party highly defamatory and threatening posts was not deemed a violation of Article 10⁶.

Almost immediately after this decision the ECHR came down with a judgment in the case of [MAGYAR TARTALOMSZOLGÁLTATÓK EGYESÜLETE AND INDEX.HU ZRT v. HUNGARY, which further defined the limits of platform liability](#)⁷.

The latest judgment, September 2nd in the case of [Sanchez v. France](#)⁸ goes even further than both the Delphi and the above Hungarian cases in allowing liability.

The case dealt with a politician (Mr. Sanchez) who as part of his election campaign had created a Facebook page. Mr. Sanchez was a local politician and member of the “Front Nationale” now called the “Rassemblement Nationale” – a far right party). At the time he was running for parliamentary elections.

Several racist and other hateful remarks were posted on his Facebook page and Mr. Sanchez was fined 4000 € for violating articles 23, 1 and 8 and 65-3 of the law of July 29, 1981 and art 93-3 of law number 82-652 of July 29, 1982⁹ since he had not “promptly” deleted the impugned posts on “his” Facebook page. In the words of the French courts he was the “producer” of the medium.

The Appeal Court confirmed the lower court’s judgment (reducing the original fine from 4000 € to 3000 €)¹⁰.

⁴ Individual Specialist to UNESCO, Advisor to the Council of Europe on the Internet Ombudsman, Attorney at law, Cabinet Shefet, Paris

⁵ ARTICLE 10 Freedom of expression 1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises. 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

⁶ [accessed on 4 October 2021].

⁷ [accessed on 30 September 2021].

⁸ Only in French so far. [accessed on 30 September 2021].

⁹ These laws regulate media liability and specific categories of “hate speech” and include criminal sanctions against incitement to hatred or violence against a group and individual on the grounds of their religious affiliation.

¹⁰ Mr. Sanchez’s appeal to the Court of Cassation was by judgment of 17 March 2015.



The case ended up before the European Court of Human Rights, where in a well-reasoned 6 to 1 judgment the Court decided that it did not violate article 10 to impose such fines (in other words, a penal sanction).

It held that by knowingly making his Facebook wall public, Mr. Sanchez had assumed responsibility for the contents of the comments posted and that his status as a political figure required even greater vigilance on his part.

The Court acknowledged the need in a democratic society to allow robust and controversial speech in particular of a political nature and even more as part an election process but agreed with the national courts that Mr. Sanchez's failure to take prompt action in deleting the illicit content on a page that he has deliberately made was not "protected speech."

Even though the judgment applies concretely to a Facebook page it is clear that the same reasoning may be applied to the platform as such, i.e., Facebook and other social media. The judgment may be read as the general rule on platform liability.

Social media will have to take this Human Rights based development into account also because it coincides with the [draft Digital Services Act](#) which seeks to regulate vicarious liability in considerable detail¹¹.



Dan Shefet

International Consortium of Investigative Journalists (ICIJ)

Pandora Papers

An investigation by more than 600 journalists from 150 news outlets unearthed offshore dealings of 35 current and former world leaders and more than 300 other current and former public officials and politicians around the world. The ICIJ revealed how the offshore system continues to thrive despite decades of legislation, investigations and international agreements aimed at combating money laundering and tax dodging. For more information, click [here](#).

EXECUTIVE COMMITTEE

2021-2022 Executive Committee

Chair:	Tiffany Heah
Vice Chairs:	Richard Bainter Cathy Carlisle
Secretary:	Georgina Conheady
Treasurer:	Agustin Ceballos
ILS NEWS:	Cathy Carlisle (Editor-in-Chief) Melissa Allain (Managing Editor)
Members:	Robert E. Lutz Payal Sinha Daniel Alef Hon. James P. Kleinberg (Ret.)
Advisors:	Robert Bowen Jeffrey Daar Harumi Hata Eric Husby Joshua Surowitz
ILS Representative:	Enrique Hernandez

¹¹ [accessed on 30 September 2021].



CYLA Liaison: Valentina Yan
Immediate Past Chair: William Tolin Gay
Section Manager: Mycah Hetzler

WARREN CHRISTOPHER AWARD 2021

By *Melissa Allain*¹²



The 2021 Warren M. Christopher Award went to Barry A. Fisher for his world-wide accomplishments in human rights and constitutional law on behalf of ethnic, racial, and religious minorities. The award is presented annually by CLA's

International Law and Immigration Section for distinguished service in the promotion of the rule of law internationally or for significant achievement in the practice of international law.

During the ILS awards ceremony on September 24, former ILS Chair Jeffery Daar introduced several prominent speakers who shared inspiring testimonials of their experience working with Mr. Fisher and the tremendous impacts he made.

- Former US ambassador to the EU Stuart Eizenstat described Mr. Fisher's work on behalf of Holocaust victims subjected to slave labor, and restitution efforts resulting in settlement treaties with Germany and Austria to which Mr. Fisher is a signatory.
- Ignatius Ding of the Global Alliance for Preserving the Truth of WWII in Asia, and Jean Chung of Action for One Korea, detailed Mr. Fisher's contributions to victims of Imperial Japan's forced mobilization, sexual slavery and other war atrocities, noting that

victims were from many Asian countries, Australia, UK and USA.

- Grattan Puxon, an activist for Roma, Gypsy and traveller rights, and Gruia Bumbu, President of Pakiv Romania, recounted their efforts with Mr. Fisher, crediting him for teaching negotiation skills effective in gaining recognition of the Roma in Europe.
- Luqman Barwari explained Mr. Fisher's work on behalf of the Kurds in Turkey. Mr. Barwari is currently an ambassador of Kurdish culture through his restaurant in Agoura Hills featuring their cuisine.

Mr. Fisher earned his undergraduate and law degrees from UCLA and is a partner of Fleishman and Fisher in Los Angeles.

If you missed the 2021 Warren M. Christopher Award ceremony, you can get caught up by clicking [here](#).



Barry Fisher

¹² Attorney in San Francisco Bay area.



FOREIGN BAR RELATIONS COMMITTEE

Outgoing Chair: Richard Bainter

Incoming Chairs: Joshua Surowitz and Harumi Hata

Any ILS member interested in joining the ILS Foreign Relations Committee should contact us at ils@calawyers.org.

Law Society of Hong Kong

ILS entered into a Friendship Agreement with the Law Society of Hong Kong on July 29, thanks in large part to the efforts of past ILS chair, Jeff Daar of the law firm Daar and Newman in Los Angeles. A signing ceremony was held virtually with the leadership of both organizations. This new agreement marks the 13th formal relationship that is maintained between the ILS and foreign bar associations.



Global Commercial Leasing

Several educational programs have also been planned in collaboration with foreign friendship bars. ILS, in collaboration with the Real Property Section of the CLA will begin a series of webinars on commercial leasing around the world. The first program will take place on October 20 and will address commercial leasing in Ireland. Future programs will be scheduled each month, each one focusing on a different country. ILS foreign friendship bars are a resource for the foreign expertise that will be featured in these programs. Register for the first program here: [Global Commercial Leasing: Beginner's Guide to Commercial Real Estate Leasing in Ireland.](#)

USMCA Rapid Response Mechanism

Also on October 20, the ILS will cohost a webinar program with ANADE, the National Association of Business Lawyers in Mexico. The program will examine the first claims made under the Rapid Response Mechanism of the US/Mexico/Canada

Free Trade Agreement (USMCA). Program speakers include Mexican business and labor lawyers and an attorney who was involved in submitting the first claim. Register for the program here: [USMCA Rapid Response Mechanism: First Cases and Lessons Learned.](#)



EU's Digital Services Act



ILS is also planning a program in collaboration with the Law Society of Ireland to discuss the EU's Digital Services Act and its potential impact on the US tech industry, which is largely based in California. That program is tentatively scheduled for November. Watch for future notices about that event.

OUTREACH COMMITTEE

(formerly Student Programs Committee)

Chair: Agustin Ceballos

9/15/2021 – UCLA

On Wednesday September 15, 2021 from 12:15pm to 1:15pm, UCLA Law's International and Comparative Law Program hosted a remote event via zoom with the ILS. Payal Sinha, Adrian Martinez, Bill Gay and Agustin Ceballos talked about their international practice areas (immigration law, litigation, corporate and tax law, accordingly), and answered diverse questions primarily focused on providing J.D. and LL.M. students with general guidelines to help them



define a career path in their chosen international area of the law. The event was organized by ILS as part of their “Pathways to Careers in International Law” event series.

10/6/2021 Careers in International and Immigration Law at USC

We will be connecting with students at USC via Zoom to talk about pathways to international and immigration law.

PROGRAMS COMMITTEE

(formerly EDUCATION COMMITTEE)

Outgoing Chair: Melissa Allain

Incoming Chairs: Richard Bainter and William Gay

Anyone interested in organizing a webinar or interested in speaking about a particular topic that would be of interest to ILS members should email us at ils@calawyers.org.

9/15/2021 The Commercialization & Exploitation of Outer Space: Legal and Ethical Questions Under International and National Laws

What every lawyer should know about the FCC’s accelerated licensing of 80,000+ new satellites, and related earth stations.

- Asian scholar, litigator, and former Harvard Law professor Julian Gresser provided an illuminating overview of US treaties, government and corporate obligations and liabilities, and concerns over the enormous growth planned unilaterally by the US from 3,500 satellites now in orbit including those from other nations.
- Ben Levi utilized his engineering background to provide a technical overview of the industry.
- Jessica Learmond-Criqui joined from London to compare the UK space-related activities and **potential** legal remedies.

- Sue Grey engaged 1:1 from New Zealand with Mr. Gresser on multilateral aspects of satellites and earth stations.
- Jim Turner contributed consumer law impacts from his practice as an attorney based in Washington, D.C.
- Melissa Allain closed with a brief commentary on the ethical limitations on attorneys’ disclosure of client misconduct.

If you missed the two-hour, thought-provoking session, click [here](#).

10/12/2021 Webinar: Accelerating Change From our Blind Spots in International Dispute Resolution

Where are our blind spots when it comes to culture and diversity in international dispute resolution? Arbitration and mediation are processes premised on their constituencies agreeing to resolve future or existing disputes with the assistance of an independent neutral or group of neutrals. In arbitration, we rely on the arbitrator to fairly decide the merits; in mediation, we rely on the mediator to facilitate a sound settlement. A key component in these arrangements is an inherent trust in not only the decision-making systems and rules but also the independent character of all the individuals involved in the dispute resolution process.

If you are interested in attending this webinar, click [here](#).

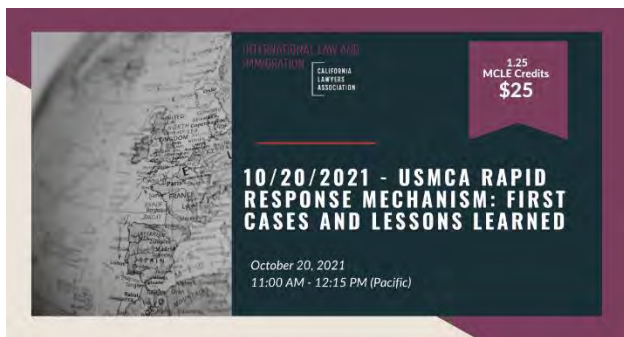




10/20/2021 Webinar: USMCA Rapid Response Mechanism: First Cases and Lessons Learned

The USMCA Rapid Response Mechanism has been used for the first time. Join a conversation with attorneys from the US and Mexico to understand the implications for US and Mexican businesses and for Mexican labor unions.

This webinar is being offered at the low price of \$25. If you are interested in attending this webinar, click [here](#).



10/20/2021 Webinar: Global Commercial Leasing: Beginner's Guide to Commercial Real Estate Leasing in Ireland

Topics to be covered include: lease economics, lease registration, assignment and subletting, landlord remedies, tenant remedies for landlord defaults, lease exit strategies, typical security deposit requirements, formalities of lease execution, relevant tax issues, extension protocols, and local cultural norms that may affect negotiations.

This webinar is being offered to CLA members at a low price of \$35. If you are interested in attending this webinar, click [here](#).



SAVE THE DATE – California International Arbitration Week

ILS in conjunction with the Litigation Section will be organizing the California International Arbitration Week from March 14 to 18, 2022. More to be revealed.

IMMIGRATION LAW COMMITTEE

Chairs: Joshua Surowitz and Payal Sinha

Immigration Detentions and Equitable Jurisprudence

During the CLA Annual Meeting, ILS presented a webinar with an exceptional Immigration Panel that discussed “Immigration Detentions and Equitable Jurisprudence”. With the rise of immigration detentions, sanctuary cities, and immigration laws, the panel highlighted practice pointers on how to preserve judicial equity and jurisprudence to allow immigrants to have equal access to justice. The webinar was moderated by Payal Sinha, Executive Committee Member and Co-Chair of Immigration Law Committee. The esteemed panel of speakers was comprised of Dustin Bankston, (Principal at Bankston Immigration Law) Reena Aarya, (Direct Representation Attorney at KIND) and Erik Husby, (Principal partner at Surowitz Immigration PC).

If you registered for the CLA 2021 Annual Meeting and you missed this webinar, click [here](#).

Monthly Immigration Updates

The immigration committee currently compiles immigration updates on a monthly basis. Please check out the [monthly immigration updates](#) available on the ILS website.

EVENTS BY OTHER ORGANIZATIONS, INSTITUTIONS AND GROUPS

10/11/2021 to 10/15/2021 World Arbitration Update 2021

Rigorous and remarkable counsel, arbitrators and academics are living and practicing beyond the



centers of international arbitration. There are large, medium, and boutique firms, as well as solo practitioners, actively advancing international arbitration and public international law in non-traditional venues in Africa, the Americas, Asia, Europe and Oceania.

The World Arbitration Update (WAU) will *update* the global community on key and novel topics of investment and international commercial arbitration, and public international law in a *decentralized* forum.

The WAU panels will follow a dynamic format where a *presenter* will first provide an update of the issue that the panel will address, including relevant treaty and international customary norms, as well as case law. An open discussion by the panelists, including practitioners, counsel for investors, counsel for States, arbitrators, officials of international organizations and arbitration centers, and academics, will then follow. After each panel, there will be a networking space in breakout rooms for panelists and WAU attendees to meet and interact.

WAU connects different regions with the global community aiming to decentralize and further expand international arbitration and public international law. At WAU, practitioners, States, private parties, arbitrators, international organizations, academics and students have the possibility to engage with each other and nourish the conversation on investment and international commercial arbitration, while being members of a forum that integrates the world through connectivity and precise updates.

The first edition of WAU is being held virtually linking different regions by video conference during a five-day period from October 11 to 15, 2021. During these

five (5) days, there will be 15 panels and networking virtual events. For more information, click [here](#).

11/10/2021 to 11/12/2021 The Global Business of Cannabis Conference

The ABA International Law Section will be organizing the first Global Business of Cannabis Conference. The Conference will be held in Denver, CO. For more information, click [here](#).

A MODEL LIFE IN INTERNATIONAL LAW: CELEBRATING PROFESSOR ROBERT LUTZ

On June 25, 2021, the Daily Journal (legal newspaper) produced a podcast where our Executive Committee Member, Professor Robert Lutz¹³, was interviewed by Howard Miller¹⁴ about his career in international law. Check out the podcast by clicking [here](#).



Professor Robert Lutz

¹³ Treusch Distinguished Professor Emeritus of International Legal Studies, Southwestern Law School; Member, CLA-ILS Executive Board; Former Editor-in-Chief, *California Lawyers Association-International Law (CLA-ILS) Newsletter*; Former Chair, ABA Section of International Law and EIC, *The International Lawyer*; Current Co-chair, ABA-Senior Lawyers International Committee; and Member, US State Department Advisory Committee on International Law.

¹⁴ Contributing editor and podcast host at the Daily Journal, JAMS mediator and arbitrator, former California Bar President, former USC professor.



IT'S TIME FOR THE HOLIDAYS!

By Tiffany Heah

The holiday season is around the corner. The CDC is recommending that we celebrate the holidays virtually. Here are some ideas on how we can make the best of things:

Host a Virtual Holiday Party

By now, everyone knows how to use Zoom, Microsoft Teams or such other video conferencing software. Host a virtual holiday party. The great thing about a virtual holiday party is that you do not have to drive anywhere. Before the virtual holiday party event, feel free to send your family and friends recipes so everyone can make their own snacks or cocktails and enjoy it virtually together. Alternatively, you can have a theme so everyone is dressed according to the theme with matching virtual backgrounds too. For more ideas on how to celebrate the holidays virtually, click [here](#).

Shop Early

As most of you are aware, there is a severe shortage of goods and supplies which is why it is a good idea to not leave things to the last minutes, especially this year.

Target will be starting the holiday shopping season early when it announced "[Deal Days](#)" from [October 10 to 12, 2021](#). Target will also be launching the [Holiday Price Match Guarantee](#) from October 10 to December 24, 2021 to give customers the confidence that they are getting the best deals at Target no matter when they choose to shop. Essentially, this holiday season, Target shoppers can request a price adjustment on all items purchased in the time window if Target lowers the price later in the season.

Care Packages

Just because you cannot meet your family and friends in person, it does not mean that you have forgotten about them. Send them a care package. There is nothing like receiving a box of goodies from your loved ones and being reminded that you are loved especially during the holidays. Some great ideas to include in your care packages would be photos, fuzzy

and cozy socks, their favorite drinks and snacks, self care products like face masks or scented candles to get in the holiday mood.

Virtual Games

There is nothing stopping you from playing virtual games together. For ideas of free virtual games to play online, click [here](#).

Travelers

For those who are still choosing to travel this holiday season, take note that the US will reopen in November to air travelers from thirty-three (33) countries including China, India, Brazil, and most of Europe who are fully vaccinated against COVID-19. Americans traveling from abroad who are not vaccinated will face tougher rules than vaccinated citizens, including needing to show proof of a negative COVID-19 test within a day of travel and proof of purchasing a viral test to be taken after arrival. For more information, click [here](#).

Random Stats

If you have wondered about how the pandemic is impacting global happiness levels in 2021, check out the stats [here](#).

Reflect and Regroup

For some people, the holidays are about reflecting on the year and figuring out how to make next year better. For ideas on how to transform your daily life, click [here](#). If you are interested in how buying time leads to significantly greater life satisfaction, click [here](#).

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