From the Director

It has been a busy and productive year at the Center for International Legal Education. Normally, I open this newsletter by recapping the year’s activities and summarizing the information set forth below. This year, however, much of what is included in this newsletter comes from our students, faculty, and colleagues who have been involved in our programs, and I much prefer that you peruse these pages and get their impressions of our activities in their own words. Thus, I will be brief, limiting myself to listing some of our activities and saying thank you to all the many people who have made this such an exciting and educational year for all of us at the Center.

I do invite you to begin your journey through these pages with Mark Walter’s “Breakfast in Crimea,” below. As Assistant Director of the Center, Mark has had a tremendous impact on our programs, particularly our four State Department-funded partnerships with law faculties in Belgrade, Donetsk, Kyiv, and Pristina. His words capture the soul of that work, as well as the importance of establishing strong working relationships that can move the rule of law forward throughout the world.

We continue a tradition of hosting some of the best LL.M. students from abroad to study in any U.S. law school. Their impact on our community cannot be overstated. Other visitors have provided important lectures, courses, and contributions to conferences at the School of Law. New books hold potential for improving the study and application of international treaties. Language programs facilitate the broader study of law and cultures. Summer programs break new ground. New colleagues bring renewed excitement to our work. And amidst it all we continue to hope that a world focused on fear and terror can somehow begin to move toward a global society based on the rule of law in which we all can find a more peaceful, cooperative existence.

Breakfast in Crimea and Other Meaningful Moments

by Mark Walter, Assistant Director, CILE

We usually take a quasi-empirical approach to measuring the success of our international partnerships. In our semi-annual reports to the State Department, we often talk of numbers—of books delivered, of faculty teaching visits, of students participating in our courses, of computers purchased—in calculating the realization of our goals of democracy building and of the establishment of the rule of law. We Americans value these concepts very highly and hope that everyone else will one day value them as well. Why do we value these and why do we foster them throughout the world? The final answer is not found in numbers, because the ultimate goal is not quantity, but a quality of life that is most evident, on the international scale, in the way we interact. We, like most, want the world’s people to interact peacefully, with respect and compassion. Transnational security begins and ends with relationships. Nobody will listen to our ideas for a better world if they don’t like us to begin with.

There were moments during the past year (my first full year at the CILE) when...
I was awed by the derivative power of our efforts to forge just the kinds of relationships we need as foundations for meaningful cooperation.

For much of our time at the Law Practice Management Conference in Crimea, life was pretty frenzied—lots of productive meeting time; group activities; dinners with lofty and ambitious discussion. Most of the time the 38 conference participants moved as a group (as, mysteriously, groups are inclined to do), well tended by a small hotel staff. But breakfast was a bit more serene. Six-thirty a.m. was my time to sit outside with an espresso and my laptop to prepare for the day. I was never the first or the last to be up, but I was in a position to watch the slightly more independent movements of people. A small group of students and faculty appeared from the path behind the hotel, coming up from an early swim in the Black Sea, looking fresh. Another few emerged from the hotel in swimming suits, heading for the sea, like a shift change. Gradually more people filled the chairs by the pool, some looking a bit sleepy, others clearly “morning people.” The remarkable thing about our conference, even in this slightly more fragmented state, was that by the second day of the event, we had become something of a family. Our group of Ukrainian and American law faculty, practitioners, students, interpreters, and one journalist interacted with the familiarity of those who had spent much more time together than two days. That’s what happens when a diverse community of people lives together for a short time; they develop bonds. As I sat for a quiet coffee and a little work in the morning, I grew ever more satisfied as my new and old friends passed by and greeted me with familial warmth. We are people who will forever treat one another’s opinions with respect.

There have been other small epiphanies. A week or so before the conference, during our annual summer school in Donetsk, one of our students, Tatiana Besschastnaya (also a Vis Competition alumna), invited us to her family’s home for dinner. Professors Doug Branson and Ron Brand, Pitt Law student Joe Gulino and I were treated to a fantastic meal and great conversation, mostly translated by Tatiana. We discussed the importance of family with Tatiana's father, mother and 15-year-old sister—ethnic Russians are fiercely protective of their children—and we experienced the particularly calming effect of conversation—increasingly rare in the United States—in which teens, young adults and “established” adults are intimately involved.

And, if it weren’t for the point I am making in this essay, I would never admit this: after dinner, Tatiana, her sister, Joe and I sang along with the karaoke machine. It was a fitting conclusion to the evening, today’s near-equivalent of gathering round the piano.

Pitt Law Professor Ron Brand recently celebrated his daughter’s wedding and, kindly, invited me along. As it happened, two days before the big event Tatiana Nesterenko, a junior faculty member from Donetsk and our indefatigable coordinator of the Crimea Conference, had arrived in Pittsburgh to participate in the English for Lawyers Program. It was her first time in America and Ron suggested she come to the wedding. As at most weddings, people cried. I noticed tears in Tatiana’s eyes as well. It occurred to me then that it cost nothing out of any of our grants to give us all the experience of bringing Tatiana into such a personal celebration. It cost not one tax-payer dollar to let her share tears of joy. Yet, without our grants and the work we do in them, it would never have been possible.

We see the fruits of our labors in every aspect of our partnerships. We see it when a law faculty dean asks us to participate in decision making that would otherwise be off limits to outsiders. We see it when Kosovars take the time to show us where their homes once stood. I see it when I get to show Pittsburgh (my home town) to new visitors.

I have refereed squabbles between the 3- and 4-year-old daughters of a Kyiv faculty member; I have learned (not well) the art of drinking vodka; I have gone canoeing in the mountains of Pennsylvania with my colleagues from Ukraine and Kosovo. None of this cost a penny of government money and was done on my own time. Yet, without these partnerships, none of this would have happened.

To those who think these partnerships should all be discontinued because there may be a handful who teach un-American concepts, I say you are un-American. We teach tolerance and cooperation and freedom. I have had breakfast in Crimea and can prove it.

Ukrainian Press covers Pitt Conference in Crimea
In June of 2003, the Center for International Legal Education sponsored and co-hosted, with the law faculty of Donetsk National University, the first effort ever in Ukraine to formally bring law faculty, legal practitioners and law students together to discuss the management of law practice in Ukraine.

The conference took place over four days in a small hotel in the town of Simeiz, near Yalta, in the Crimean region of Ukraine. Thirty-eight DNU and Pitt Law faculty, Ukrainian and American practitioners, and students participated.

Representatives from Pitt Law were Professors Ronald Brand and Douglas Branson, law student Joseph Gulino and CILE Assistant Director Mark Walter. Presentations included law firm marketing, organizational structures for the law firm, professional responsibility, and educating law students in practice management. David Murdoch, a senior partner at Pittsburgh’s Kirkpatrick and Lockhart law firm, also attended and delivered presentations on practical issues in law firm management to a very enthusiastic audience.

Though all the issues raised were passionately discussed, two related issues occupied a significant portion of the four-day event: professional responsibility and the question of whether a law firm is a business or a profession.

It quickly became clear that the concept of professional responsibility is still in its infancy in Ukraine, and that an adequate code of ethics for lawyers is necessary. Though model codes are in development, none yet meets the needs of the growing Ukrainian legal profession. Thus, there remains the unresolved issue of whether the practice of law is a business, allowing entrepreneurial activity, or a profession with little or no room for law firms to act as businesses. The consensus at the conference appeared to be, as in America, that some compromise must be achieved. Whether the compromise should be the same as that established in the United States is a question that can be resolved only by significantly more work and discussion.

The conference received a full page of coverage in the Ukrainian legal newspaper, Juridicheskaya Praktika.

A book containing many of the conference presentations and discussions of the outcomes of the conference will be sponsored by Pitt Law and published by Donetsk National University. Additionally, the success of the conference has motivated those of us from Pittsburgh (faculty and practitioners) to continue with DNU these efforts with the development of new projects focusing on legal ethics in Ukraine.

The Center for International Legal Education repeated and improved upon the summer of 2002 with a highly successful summer school in Donetsk in June 2003. Pitt Law Professors Ronald Brand and Douglas Branson and CILE Assistant Director Mark Walter taught intensive courses in business law to 41 Donetsk law students. To make it a truly cooperative effort, DNU Professor Daniil Fedorchuk (Pitt Law LL.M. 2001) taught a course on international investment law. Pitt Law student Joseph Gulino was also on hand to conduct a seminar called Legal Issues in American Cinema.

Students who successfully completed the written examination were given certificates of achievement. The five top students who completed with high honors and the four completing with honors were invited to Crimea to participate in the Law Practice Management Conference.

In each of the two summer schools taught in Donetsk, a few students have excelled and shown themselves to be bright, conscientious and enthusiastic scholars. Because of the especially active teaching methods employed in the summer school classes, these students are noticed by Pitt and DNU faculty and consistently go on to become more involved in both DNU academic life and the Pitt-DNU partnership.
CONFERENCE AND BOOK HIGHLIGHT U.N. SALES CONVENTION BY BRINGING WORLD’S TOP CISG SCHOLARS TO PITTSBURGH

On February 7, 2003, the Center for International Legal Education hosted the first conference to recognize the importance of the forthcoming UNCITRAL Digest of cases interpreting the United Nations Convention on Contracts for the International Sale of Goods (CISG). The Digest authors, a group of five leading CISG scholars that includes Pitt Law Professor Harry Flechtner, were given the opportunity at the conference to present their views on the case law—something that will not be a part of the Digest itself. Each presentation by a Digest author was followed by commentary from distinguished CISG scholars, and an opportunity for dialogue with all those attending. The draft Digest, along with the conference papers, will be published in October 2003 in a book edited by Pitt Law Professors Ronald Brand and Harry Flechtner, along with University of Verona Professor Franco Ferrari.

The sponsor of the Digest, the United Nations Commission on International Trade Law (UNCITRAL), was created in 1966 by the U.N. General Assembly to further the harmonization of transnational commercial law. One of UNCITRAL’s most successful products is the CISG, a multilateral commercial law treaty that is now the law for international sales contracts in the more than 60 countries that are parties, accounting for over two-thirds of world trade in goods.

With more than 900 judicial and arbitral decisions from around the world applying the CISG, the Digest is expected to revolutionize the understanding and practice of international sales law. The five UNCITRAL Digest authors are Professors Harry Flechtner (University of Pittsburgh), Franco Ferrari (University of Verona, Italy—who also taught a Pitt Law course in the spring term 2003 on Uniform Sales Law and Forum Shopping), Ulrich Magnus (University of Hamburg, Germany), and Peter Winship (Southern Methodist University, Dallas, Texas). At the conference, John E. Murray, Jr., Chancellor of Duquesne University, presented the portion of the Digest authored by Professor Claude Witz.

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The conference opened with introductory remarks by Jernej Sekolec, Secretary of UNCITRAL, University of Pittsburgh Chancellor Mark A. Nordenberg, welcomed participants at the luncheon, where the keynote address was given by Jeffrey Kovar, Assistant Legal Adviser for Private International Law at the U.S. Department of State. Closing remarks were given by Harold Burman, Senior Attorney with the Office of Private International Law in the Office of Legal Advisor, U.S. Department of State.

The conference and book continue the School of Law’s role as a leading source of scholarship on the CISG. One publication has referred to the Law School’s Journal of Law and Commerce as the “dominant source” of published scholarship on the Convention.

The book resulting from the conference, The Draft UNCITRAL Digest and Beyond: Cases Analysis and Unresolved Issues in the U.N. Sales Convention, will include the Digest draft as it appeared prior to final edits and publication by UNCITRAL. Unlike the Digest, the commentary in the book will allow scholars to go beyond the mere reporting of cases and both critique those cases and raise important issues not yet covered in the case law.
The Draft UNCITRAL Digest and Beyond
Cases, Analysis and Unresolved Issues in the U.N. Sales Convention

edited by
Franco Ferrari, Harry Flechtner, and Ronald A. Brand

The Draft UNCITRAL Digest and Beyond: Cases, Analysis and Unresolved Issues in the U.N. Sales Convention will be one of the most useful single volumes available on the United Nations Convention on Contracts for the International Sale of Goods (CISG). It will include the full text of the draft UNCITRAL Digest which catalogues the cases and arbitral awards to date that have interpreted and applied the CISG on an article by article basis. The Digest and Beyond will also include commentary by eminent CISG scholars that addresses issues not yet considered in the cases.

With more than 1,000 decisions applying the CISG in courts and arbitral tribunals around the world, the UNCITRAL Secretariat charged five CISG experts from a variety of regions with the task of creating a digest of CISG case law. The five experts chosen to prepare case reviews for the UNCITRAL Digest, and the CISG articles their portions of the Digest will cover, are:

Franco Ferrari, Verona University, Italy (Articles 1-13, 78)
Peter Winship, Southern Methodist University (Articles 14-24, 66-77)
Ulrich Magnus, University of Hamburg, Germany (Articles 25-34, 45-52)
Harry Flechtner, University of Pittsburgh (Articles 35-44, 79-88)
Claude Witz, University of the Saarland, Germany (Articles 53-65)

The appearance of the UNCITRAL Digest (likely to occur sometime in 2004) is expected to revolutionize the understanding and practice of international sales law. It will, however, only catalogue the existing cases and their interpretations of the CISG. It will not contain critical analysis of the decisions, or coverage of important issues not yet covered in the reported decisions.

The Draft UNCITRAL Digest and Beyond: Cases, Analysis and Unresolved Issues in the U.N. Sales Convention will be available in October 2003, and will include the draft UNCITRAL Digest, even before it is released officially by UNCITRAL. It will also go where the authors of the Digest were not allowed to go, given the narrow mandate within which the drafters were asked to work. Its chapters will build upon the work of the UNCITRAL Digest. The Digest describes the reasoning and results of existing CISG cases; in The Digest and Beyond, the Digest authors will analyze those cases, and discuss issues that have not yet arisen in the case law. Thus, in many ways, The Digest and Beyond will provide scholarship that can direct future cases in areas that have not yet been considered by courts and arbitrators as well as in areas in which contradictory court decisions exist. Each chapter by a Digest author will be followed by commentary written by two other distinguished CISG scholars on important topics dealt with in that part of the Digest.

The Draft UNCITRAL Digest and Beyond
Cases, Analysis and Unresolved Issues in the U.N. Sales Convention

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CONFERENCE AND BOOK HIGHLIGHT U.N. SALES CONVENTION BY BRINGING WORLD’S TOP CISG SCHOLARS TO PITTSBURGH

UNCITRAL Secretary Jernej Sekolec addresses CISG Conference

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Speakers at the CISG Conference
International Partnerships Reach New Heights of Productivity

The effects of the Center’s efforts to create and maintain formal partnerships with law facilities overseas were felt more in 2002–03 than ever before. With four partnerships accounting for more than $1 million in U.S. State Department funding and additional generous funding coming from within the University of Pittsburgh, the center has the resources to develop dynamic projects having an impact on the students and faculties from both Pitt and the partner institutions, as well as the constituent communities.

University of Belgrade (Serbia and Montenegro)

Pitt Law Associate Dean
Teaches in Belgrade ..................... p.10
Pitt Law Students Intern
in Belgrade ................................ p.10
International Learning and Personal
Partnerships in Belgrade
by David Slavick ...................... p.11

Moi University Partnership Continues

Maurice Oduor, the fourth student in four years, arrived from Moi University, Eldoret, Kenya in July 2003 to participate in the summer English for Lawyers Program and continue to study for the LL.M. degree during the academic year. Oduor follows his colleagues Victor Mosoti (LL.M. ’01), Evelyn Kamau (LL.M. ’02), and Vincent Kiplingat Mutai (LL.M. ’03). It is anticipated that each of the LL.M. graduates from Moi University will return to teach at the Faculty of Law in Eldoret.

Five Teams, One Pitt Law Family at the Vis Competition...p.15
Breakfast in Crimea and Other Meaningful Moments  
by Mark Walter

Semester at Sea Law Program Continues

Professor Pat Chew led the faculty for the 2003 voyage of Summer at Sea/Law at Sea. Students and faculty traveled to Russia, Japan, Australia, New Zealand, Fiji, and Hawaii, taking courses in Conflict and Culture: Dispute Resolution in Asia, Copyright in a Global Information Economy, Comparative Contract Law, Comparative Corporate Law, International Environmental Issues, and Asian Nations in Disputes Before the WTO. The 2004 voyage will again cover the Pacific Rim traveling to Canada, Alaska, Russia, Korea, China, Hong Kong, Vietnam, Taiwan, and Japan.
The Meaning of Partnership
by Vjosa Osmani

Access to education in Kosova is a human rights issue. For years, Kosovar Albanian students and teachers have faced major difficulties in pursuing the desire to deepen knowledge. Despite frequent arrests, intimidation and beatings by the police, these teachers, students and organizers came to symbolize a unique assertion of the collective will to address a direly felt social need.

However, with the end of the war in 1999, a number of educational initiatives are in progress in Kosova. With these initiatives, Kosova is moving in the right direction, and their importance is immense given the fact that for a long time we have been isolated from the rest of the world in many ways, including education.

With the intention to develop advanced changes in education, the University of Prishtina entered a partnership with the University of Pittsburgh in September 2002.

One of the first steps in building a successful partnership was sponsoring a team from the University of Prishtina Faculty of Law to participate in the Williem C. Vis. International Arbitration Moot Competition, held each year in Vienna. I had the opportunity and the honor to represent the University of Prishtina in this worldwide event, which has definitely been one of the best experiences in my life.

It was a challenge for me and the other members of the team, as we had no prior experience with writing memoranda or preparing oral arguments. We also had to be well prepared to argue against teams composed of native English speakers.

We received help from the faculty of the University of Pittsburgh during our preparations. Their experience and knowledge helped us to feel confident and contented for this competition.

All the work put into the preparation was paid back during that week in Vienna. We met law students from all over the world who were coming from different legal backgrounds and the friendships we created with some of them continued even after Vienna. We will remain grateful to the University of Pittsburgh for giving us such an opportunity.

International Commercial Law taught by Mark Walter and Securities Regulation taught by Matthew Comstock gave the students from Prishtina the opportunity to deepen their knowledge and understanding of these two areas of law, which are not as advanced in our country but are needed for the development of our economy.

Apart from faculty visits, two students were sent from the University of Pittsburgh School of Law to participate in internships in Kosova institutions. This gave Pitt students the opportunity to see the developments in the economy, infrastructure, legal system, human rights, and other areas of life in a post-conflict society. It also helped them to get a better understanding about the current situation in the Balkans and the challenges this region is facing. This part of the partnership allowed the development of relationships on the student level, which are important to the future since the exchange of students signifies the exchange of the power of knowledge, experience and information.

Another element of the partnership was the participation of Prishtina students and faculty in the 2003 English for Lawyers program. Together with my colleague Bardhyl Hasanpapaj and Professor Bekim Sejdiu, I was invited to attend this program, which has had a great impact in many schools around the world. It is one of the many programs that show Pitt Law School’s commitment to global legal education. Undoubtedly, one of the most important benefits students can take from EFL is the opportunity to meet people from different legal systems and exchange different views and perspectives.

I was surprised to hear that just like my hometown (Mitrovica), Pittsburgh is called “the city of bridges”; it has three rivers and is known for its steel industry past. But of course, there is much dissimilarity at the same time. While bridges in Pittsburgh symbolize unification, friendship, connections and communications, in Mitrovica the bridges have been the main focus of revolts and problems and they symbolize separation and ethnic boundaries. Just as in Vienna, the experience in Pittsburgh has no substitute. While a couple of years ago visiting the United States was only a dream for Kosovar students, the University of Pittsburgh gave us the opportunity not only to see the place but also to accumulate a great deal of experience and knowledge. The participation in those programs changed our lives.

Education has remained at the heart of the struggle by Kosovar civil society, knowing that it symbolizes a commitment to the future. We must work much harder to encourage initiatives and partnerships like this one with Pittsburgh in order to institute the necessary changes in our schools.
Summer in Kosovo
by Kerry Sheehan

Thanks to the generous backing of the Center for International Legal Education and the Center for Russian and Eastern European Studies, I had the opportunity to embark on an exciting journey for the summer of 2003. Before coming to law school at the University of Pittsburgh, I never would have envisioned spending two months in Pristina, Kosovo, but the school's innovative partnerships with various law schools in Eastern Europe provided the ideal chance for this unique experience.

Although I was thoroughly briefed before traveling to Kosovo, when I left I still didn't really have any idea what I was getting myself into, aside from the knowledge that my job would entail interning at the Human Rights Center at the University of Pristina (HRCUP). I think that this lack of concrete expectations and a willingness to experience anything and everything aided tremendously in my ability to adapt so easily once I arrived in Pristina. But I can't take all of the credit. The people in my office and the friends that I made there were wonderful, and really helped me to understand the social, economic, and political aspects of the country.

Kosovo is currently a United Nations protectorate, and this fact has many profound effects on the people that live there. Significantly, this makes it a very intriguing place to work in the field of human rights law. There are a number of international organizations with a presence in Kosovo, which has a definite impact on the academic atmosphere. Luckily for me, I not only got to interact with internationals from various agencies, but also was able to work closely with local people. Many of the projects that I worked on involved students from the University. Additionally, the location of the HRCUP within the Law Faculty of the University of Pristina itself allowed me to more fully grasp the workings of Kosovo's education system. The students were some of my greatest informal resources, as they were always more than willing to discuss their experiences and opinions with me.

One of my first projects at the HRCUP was to assist in compiling the first Human Rights Review that the Center was publishing. I read and edited English translations of various professional and student-written articles. Most excitingly, I had the opportunity to write my own article comparing inheritance law in Kosovo with that of the United States. The article focused on women's rights to inherit in the two countries. My duties also included attending various conferences held by human rights organizations. This was a great way to learn about pressing issues in the field and to talk to legal practitioners about legal developments in human rights taking place in Kosovo.

A highlight of my work experience was helping to organize a “Human Rights School” for Kosovar youth that I later attended in Ulcinj, Montenegro. It was sponsored by the Kosovo-Helsinki Committee, and co-run by my colleague, Drita Bala. Young adults of varying ethnic backgrounds, including Albanian, Serbian, Turkish, and Bosnian, gathered to discuss human rights issues and conflict resolution. It was interesting to see how this program was geared for the younger generation of Kosovars, rather than for academics, as is so often the case there. More importantly, watching the interaction of those young adults gave me hope that the people of Kosovo eventually will be able to put aside their differences and work toward a happier and more unified existence.

I’m happy to say that I learned much more than I bargained for this summer. As a result of my opportunity to go abroad, I not only got to experience working in the field of international human rights law, in which I have always been interested, but I was able to gain insight into a country and culture much different from ours. Of course, learning about the politics of a different region and trying out a new language are always fascinating, but making new friends with which to share experiences broadened my perspective more than I could have asked for. I was lucky enough to find my niche and cannot wait to begin practicing international human rights law.
Donetsk Center for International and European Law Dedicated

In June, Pitt Law Professor and CILE Director Ronald Brand and Donetsk National University Law Faculty Dean Vacheslav Volkov dedicated the new Donetsk Center for International and European Law (CIEL).

The Center was sponsored by Pitt Law and made possible by funding from the U.S. Department of State. CILE Assistant Director Mark Walter and DNU Professor Tatiana Kyselova developed plans for renovation of the room and the purchase and installation of shelving, furniture and computers. Many of more than 1,200 books donated to DNU by Pitt Law with the generous help of the Sabre Foundation will be housed in the Center.

Under its Director, Professor Daniil Fedorchuk (Pitt LL.M. 2001), the Center will pursue research in the international and European law sphere, international cooperation at the faculty, and the introduction of advanced methods of study and foreign experience. It is anticipated that an academic specialization in International and European Law will be created.

The new Center hosts students and faculty who develop and participate in courses on international and European Union law. Seminars will be taught in the Center and all students are invited to use the Center’s resources (including new high-speed Internet access) in their research on international and European law, as well as in exploring possibilities for study abroad.

Professor Brand and Mark Walter have been invited to participate on the Center’s Board of Advisors.

Pitt Law Associate Dean Teaches in Belgrade

Associate Dean and Professor John Burkoff traveled to Belgrade, Serbia and Montenegro in March to teach an intensive course in American Criminal Law and Procedure. About 20 law students participated and received certificates of achievement. Dean Burkoff’s course, particularly the aspects dealing with U.S. Constitutional rights, elicited tremendous enthusiasm among the students, all of whom well-remember the dramatic lapses in civil rights during the Milosevic era.

Pitt Law Students Intern in Belgrade

Two Pitt Law students participated in internships in Belgrade during the summer of 2003. These opportunities were made possible by the Center for International Legal Education and were corollary to CILE’s partnership with the University of Belgrade Faculty of Law. Second-year student Zak Shusterman interned with the Yugoslav Lawyers Committee for Human Rights (YUCOM) and David Slavick was with the USAID WTO Accession Project for the Federal Republic of Yugoslavia. David Slavick recounts his experience on page 11.
INTERNATIONAL

CILE Welcomes Japanese Academics

Six Japanese university professors visited Pitt Law in September 2002 to observe our system of legal education under the sponsorship of Japanese government programs aimed at developing and implementing a change in the way law is taught in Japan. Presently, legal education in Japan is an undergraduate degree. Those graduates who wish to become licensed attorneys—Bengoshi—must pass what may be the world’s most difficult bar exam, with a typical pass-rate of less than three percent!

The new system would institute a two-or three-year graduate-level program based on the Juris Doctor degree of the United States. One goal is to combine educational and bar exam changes in order to increase the rate of admission to practice.

Delegation members visiting Pitt were Hajime Yoshino, Professor of Jurisprudence and legal informatics, the chair of Law School Foundation Committee of Meiji Gakuin University (MGU); Masamitsu Sakamoto, Professor of Anglo-American Law at the faculty of law of MGU; Shigeru Kagayama, Professor of civil law and environment law at Nagoya University Faculty of Law; Seichiro Sakurai, Associate Professor of Information Engineering at Tokyo Institute of Technology; Hideyuki Shigyo, Professor of civil law and environment law at the faculty of law of MGU and the associate dean of the faculty; and Keigo Obayashi, a graduate law student at Keio University.

The professors visited a number of Pitt Law classes, including Contracts, Intellectual Property, Torts, Cyberspace, and a classroom session of the Health Law Clinic. Contracts was a high priority for our visitors not only for the subject matter but also for the well-known excellence of its teacher; Professor Flechtner is a three-time recipient of the Law School’s Excellence-in-Teaching Award.

The visitors also met with Professors Teresa Brostoff and Ann Sinsheimer, the coauthors of Legal English: An Introduction to the Legal Language and Culture of the U.S., and co-teachers of many overseas English for Lawyers courses. Brostoff and Sinsheimer are expert in just the kind of English instruction the Japanese are interested in implementing in their new legal education program. Throughout the visit, general discussion of American teaching methodology often turned to a fascinating discussion of the American legal culture itself.
Tightening Their Bowstrings
by David A. Murdoch
Partner, Kirkpatrick & Lockhart LLP

Michael Mandelbaum argues that peace, democracy, and free markets are the ideas that have conquered the world. He may be right, but the rule of law remains their handmaiden. And without the private practice of law, the rule of law is but an abstract idea, no more easily achieved or maintained than peace, democracy, or free markets. This truth became dramatically self-evident to me during a symposium conducted jointly by members of the University of Pittsburgh School of Law faculty and the University of Donetsk Law Faculty in Crimea, near Yalta, Ukraine, last June.

Having taught a summer course to some 40 students in Donetsk, Professors Ronald Brand, Doug Branson, and Mark Walter selected the nine best and brightest students for a reward trip to Crimea. There, practicing lawyers from Donetsk, members of both law faculties, and I conducted a four-day “Symposium on Law Practice Management.” With the support of my law firm, Kirkpatrick & Lockhart LLP, I had two of our Russian-speaking lawyers, Alexander Loshilov and Karen Livshin, prepare simultaneous Russian and English materials for distribution at the symposium.

The combined effect of having academics and practicing lawyers working together with students generated stimulating questions ranging from how to make a profit in law practice to assuring independence and integrity in dealing with difficult government situations that included corruption and intimidation of lawyers. The comparative consequence of applying Ukrainian and American legal principles sparked heated discussions and exposed new light on old subjects, such as the deeply-held American view of attorney-client privilege. Hearing stories about how judges accept bribes and lawyers are threatened by the state or by business persons without ethics or standards, I knew I could never take for granted the freedoms we have practicing law in the States. Indeed, eternal vigilance must be the private practitioner’s watchwords and the law professor’s dominant theme in preparing students for democracy and a free marketplace under the rule of law.

One cannot travel to Crimea without pondering the role there of the Russian czars from Catherine the Great to Nicholas II, the writings of Count Leo Tolstoy, who studied law and later fought in the Crimean War (1853–56), and the Yalta Conference of Roosevelt, Churchill, and Stalin (1945) that so affected our post-war world. Steeped in its history, where free markets now flow dysfunctionally and the rule of law is still a gangling youngster, the nascent Ukrainian democracy must focus on the essence of its future under law. The task of the new generation of Ukrainian lawyers will be to get to the heart of the matter, the very essence of what actions, in law, truly bring about peace, democracy, and free markets.

The Russian poet, Boris Pasternak, best described how one gets to the essence of a matter.

In everything I want to reach
The very essence:
In work, in seeking a way,
In passion’s turbulence.

The essence of past days
And where they start,
Foundations, roots,
The very heart.

Always catching the thread
Of actions, histories,
To live, to think, to feel, to love
To make discoveries.

The torment and delight
Of triumph so
Achieved tightens the bowstring
Bending the bow.

Boris Pasternak

It may yet be that the Ukrainian lawyers of the last and current decade will bring the essence of peace, democracy, and free markets to their country, through the rule of law. In doing so, they will earn no less a place in Ukraine than Boris Pasternak achieved in Russia. His triumph in life and literature, through Doctor Zhivago and the Nobel Prize in 1958, tightened the bowstring, bending the bow that eventually brought down those who suppressed and threatened peace, democracy, and free markets.

The Ukrainian law professors, lawyers, and law students are tightening their bowstrings. They are bending their bows. Their targets are fixed. In our teaching and our work, we provide no lesser value than the arrows themselves.
Having Books Without Shelves

by Linda Tashbook
Foreign, International and Comparative Law Librarian

Having books without shelves sounds ridiculous, doesn’t it? It conjures an image of messy book piles full of unfound ideas and incomplete thoughts or else piles of closed boxes where the books are packed tight—completely unavailable to researchers, growing old and out-of-date before anyone has read them. Having ordered more than 1,200 international law books for the Faculty of Law and Economics at Donetsk National University in Ukraine and having heard that the room for this little library had not yet been painted, let alone filled with shelves, I knew that I would see either messy piles or untouched boxes when I went there last December.

Having books without shelves meant that the book labeling and organizing I hoped to accomplish in my trip to Donetsk might not even be possible. So, I planned a series of lectures to deliver during the three days I would be visiting at the school. These same lectures would be presented at the International Institute of Law & Economics in Kyiv on my way over to Donetsk. I arranged to teach about the way information is organized on the Internet, how to find foreign and international law on the Internet, how certain Internet sites demonstrate open government, and how faculty could make Web sites for courses.

In Kyiv, the lectures went perfectly. The classes were small and the connections were slow, but the students were eager and attentive. They were thrilled to see how many foreign statutes are online, relieved to discover the wealth of free data from NGO and IGO sites, and amazed by the breadth of U.S. government information that is made available for free to the public. True, they wanted to rush through my explanations distinguishing between electronic indexes and databases, but I didn’t let them. I made them see that knowing how information is organized helps you figure out how to find it. After two hectic days there, I caught an overnight train to Donetsk

On my first day in town, a Sunday when the school was closed, two wonderful student guides (Anya and Tania) took me for a tour of the local public library. The next day, we started to work. First, we went to the office of the international law faculty, where the walls were lined with shelves full of books! These were some of the books we had sent! They even had colored spine stickers already. Anya told me that she had personally organized them into subject groups. I had meetings all that morning and gave lectures in the afternoon. The next day, before more of my lectures, we went to the main campus library, where the rest of the books were on shelves. The decision had been made to put U.S. law and certain secondary international sources in the campus’s main library collection, where no new books had been purchased since 1995. The primary and most practical materials would be kept in the law building—temporarily in the office where I saw them and within a few weeks in their own little resource center.

Having books without shelves, I learned, could be inspirational. In fact, it is the embodiment of Andrew Carnegie’s philosophy. He used to do just the opposite kind of donation, though. He would provide a community with a public library building, but only upon the town’s promise that they would fill it with books and employ a librarian. In Donetsk, where a lively Vis Moot Court team was madly working to prepare their brief, having new books at all was a pleasure. These books were absolutely needed and already in use even though their permanent home was not yet constructed. I saw what was ready in the resource room, though; it was large and light, freshly painted, and reeking of promise. Some, but not all, of the computer equipment had arrived. Within weeks of my return home, Anya and Tania sent me digital pictures of the completed room. It has long tables with lots of chairs, three neat computer stations, a podium in front, and all along the wall…shelves full of books.

Fulbright Scholar Spends Year at Pitt

Assistant Professor Naveed Ahmad of the Department of English at Bahauddin Zakariya University in Multan, Pakistan, is spending the 2003–04 academic year at the School of Law as a Fulbright Visiting Scholar preparing a course in Legal English to be taught at his home university. Working with faculty at both the School of Law and at Pitt’s Linguistics Department, he is benefiting from the strong programs in law and language at Pitt.

Professor Ahmad visits with Professor Vivian Curran at Fallingwater
Kurt Riechenberg Delivers McLean Lecture

The World Federalist Association of Pittsburgh and The Center for International Legal Education were proud to host the Eleventh Annual McLean Lecture on World Law in October 2002. Kurt Riechenberg, Chief of Staff to the President Judge at the European Court of Justice, discussed the history of the European Court of Justice as it reaches its 50th anniversary in a presentation entitled *The Judicial Branch in the European Union: A Model for International Legal Relations?*

Seamus Mallon Visits Pittsburgh

Seamus Mallon, the former deputy first minister of Northern Ireland, well known for his work in civil rights and his role in working toward peaceful relations within Northern Ireland, joined law students and faculty for an informal breakfast and discussion of his work and issues facing Northern Ireland today. Mr. Mallon’s visit to Pittsburgh was made possible by the World Affairs Council of Pittsburgh, the Ireland Institute of Pittsburgh, and the Pittsburgh Regional Alliance.

Pitt Law Alumnus Teaches Securities Regulation in Kosovo

Matthew Comstock (J.D. ’94), legal counsel at the U.S. Securities and Exchange Commission, visited Pristina, Kosovo in May 2003, to teach a one-week intensive course in securities regulation and administrative law. Comstock’s course was demanding, testing the abilities of a very enthusiastic group of law students. The course covered such topics as the U.S. Securities Exchange Act of 1934, insider trading, and consumer protection. Fifteen students registered for the course and all completed it successfully.

A Norwegian Year

by David Robinson, J.D. ’04

Studying for a year at the University of Oslo, which is located in the middle of the city on the famous Karl Johans Gate next to the National Theatre and below the Kings Castle, was an experience that changed my life. This opportunity rejuvenated my initial passion for studying law. Studying in Norway gave me possibilities I would not have had in the United States. I was able to focus in European Union law and international business with European treaties as the main focus, and in energy law, learning how petroleum, gas, and electricity are produced, bought, and sold under European Community guidelines. I was also able to study human rights and women’s rights, focusing on the Convention for the Elimination of all Discrimination Against Women (CEDAW), which almost all industrial nations have signed except the United States.

Living in Norway—a very English-fluent country—allowed me to study and communicate in my native language, while being surrounded by a different culture. That challenged me to learn another language. I now feel comfortable enough to converse with the local people in Norwegian. I became part of an international community of lawyers, allowing me to connect with law students, lawyers, and professors from all over the world, with students from as far away as Brazil and as close as Sweden; and professors from Italy, Zimbabwe, and Ireland. The diversity of opinion, thought, and beliefs opened the door for discussion on international issues; when you are one of two students from the United States, you feel like the representative of your country on legal, political and social standards. It can be a great burden.

While in Oslo I was able to tour the Nobel Peace Prize institution, observe the Norwegian Supreme Court, have discussions with members of Parliament, and work with lawyers from the second-largest law firm in Norway. These opportunities combined with my classes gave me the ability to find my career path and enjoy studying law. It opened the door to new places and friends. Living in Europe was expensive but the CILE scholarship I received allowed me to focus on school and immerse myself in a new community and culture.
Vienna, Austria was a little busier than usual during this year’s Willem C. Vis International Commercial Arbitration Moot thanks to two additional teams in the Pitt Law family. The Center for International Legal Education sponsored five teams for the 2002–03 “moot season.” A Pitt Law team has competed every year since 1996, but with the establishment of U.S. State Department-funded partnerships, beginning with Donetsk (Ukraine) in 1999, the Center saw the opportunity to deepen the impact educationally and to create a meaningful link between students of the different institutions by bringing everyone together for the competition.

This year was the 10th annual Vis Competition. One-hundred twenty-eight teams from 40 countries gathered for the event in Vienna in April. The competition problem each year combines the substantive law of the U.N. Sales Convention with the law of international arbitration. Students develop an expertise in both areas of the law during the months of memoranda-writing and other preparation, and experience the rigors of presenting a case before seasoned arbitrators.

Donetsk faculty advisor, Professor Tatiana Kyselova, and visiting Pitt Law student Nicole Breland, prepared Donetsk’s first Vis team for the 2000–01 competition and joined Professor Ronald Brand and the Pitt Law team in Vienna. In 2001–02 the University of Belgrade was added to the list and this year, under new partnership grants, the Institute of International Relations at Kyiv National Taras Shevchenko University (Ukraine) and the University of Pristina (Kosovo) participated for the first time.

All five teams arrived in Vienna early to participate in practice rounds and to get to know one another. The interaction among the students was remarkable, particularly among those students from regions between which there has been tremendous ongoing animosity. Competition was rugged throughout the four days of oral arguments, but the students all finished with a sense of improvement and accomplishment.

Team members for 2003:
- Pittsburgh—Joseph Gulino, Ian Leuschner and Kim Luu
- Belgrade—Novak Belčić, Slobodan Dokleštić, Ksenija Ivetić, Olga Popović, and Mirač Vučeti (Coached by Milena Milutinovic)
- Donetsk—Tatiana Besschastnaya and Yuriy Shevchenko (coached by Prof. Tatiana Kyselova)
- Kyiv—Nazar Chernyavsky and Oleksandr Olshansky (coached by Alexiy Kostromov)
- Pristina—Bardhyl Hasanpapaj and Vjosa Osmani (coached by Prof. Bekim Sejdiu)
Pitt Student Advances Pro Bono in United Kingdom
by Andrew Neal, J.D. ’05

Through a CILE fellowship, I had the privilege to attend the Solicitors’ Pro Bono Group Annual Conference “Grass Roots, and Blue Skies: Pro Bono in the Global Age” on March 29, 2003. I was the only American law student to attend the conference. The conference was held at the Law Society near the Royal Courts of Justice in London, England. The conference approached pro bono representation from the perspective of the Solicitor General for the United Kingdom, international attorneys, English solicitors, members of the global corporate community, English law students, and members from the public who attended the conference, and each brought a pro bono perspective.

I first got involved with the Solicitors Pro Bono Group (SPBG) in the summer of 2001 when I became SPBG’s first volunteer to work for the organization. The SPBG was created in 1996 among a group of lawyers to promote and advocate pro bono work within the English legal profession. The group gained importance with the passage of the 1999 Access to Justice Act, which eliminated all subsidies to private attorneys who do pro bono work. Since then, the organization has been a voice for the pro bono movement in England.

One task I was assigned was to help create a law student’s pro bono guide for the English universities. A major criticism of the English legal education system is that students exit law school without any practical experience. Thus, the SPBG has been working closely with law schools to have students get involved with pro bono work as a solution to this problem and to instill a passion for pro bono at an early age. My interviews with law students indicated that their main concern is the lack of time to do pro bono work. Thus, I worked with the SPBG and Clyde and Co. (a major London law firm) to create a Pro Bono Challenge. Under this program, Clyde and Co. has awarded top student pro bono projects with student trips to New York. The project in its first year netted nearly 80 projects, and continues to be successful.

The U.K. pro bono movement has grown rapidly among law students and members of the legal profession. Law students now not only create pro bono projects, but also are petitioning their deans for money to help fund pro bono projects within their schools. Students are beginning to look at the pro bono opportunities at various law firms in choosing career paths. U.K. law firms are also realizing that pro bono can be a great marketing tool for the recruitment of law students. Finally, the English corporate community is also realizing the value of pro bono as a way to give back to the community.

It is important to keep an eye on the good of all during our education and practice and to promote this ethic globally. Pro bono work is a concept that has universal appeal and utility, and we can all learn from the need to instill the passion for pro bono in the young and keep it burning throughout the profession.

Cheers und Tschuß
by Shabnaum Q. Amjad, J.D. ’04

Shabnaum Amjad with friends at the Asian Women’s Resource Centre in London

The Asian Women’s Resource Centre and the Army JAG Corp had at least one thing in common this summer—an intern from Pitt Law. From May through August, I split my time between these two organizations to learn more about domestic violence and methods used to assist victims.

In May and August, with the aid of the London Underground, I finagled my way from King’s Cross into an area called Harlesden. Commonly known for its large Afro-Carribbean population, this section of London is also home to the Asian Women’s Resource Centre (AWRC), a nongovernmental organization (NGO) that provides services to victims of domestic violence. Founded in 1980, the unique feature of the AWRC is that it is able to provide services in several different languages, including Urdu, Hindi, and Gujurati.

These services arrange support groups, locate temporary housing, submit letters of support to social services, translate documents, sponsor health classes and counseling sessions, and provide English language courses. The AWRC allows immigrant women to share their experiences with others in a safe and ethnically sensitive environment. I observed client interviews and appointments, as each woman unraveled her story in front of the AWRC Director, Sarbjit Ganger. These stories reflected relief in finding a person who spoke the same language and the difficulties the victim had...
overcome to arrive at the AWRC doorstep. The few weeks I spent here were quite different from my next internship.

At 0630 the life of an Army JAG soldier begins. From June through July I participated in the Army JAG Corp Summer Internship Program in Hanau, Germany. On the days I could get up at 0600, I began my internship by joining the office for one hour of physical training—from a two-mile run to ultimate football or a bike ride. By 0900 everyone was in the office and ready to provide legal services to the soldiers stationed in Hanau.

My first rotation in the legal assistance office involved wills, separation agreements, powers of attorney, and notary services. Later I joined the administrative attorneys in organizing information papers and preparing documents in support of a Violence Against Women Act Self-Petition. I also observed a court martial hearing for the murder of a young soldier, a Case Review Committee regarding Military Police reports, the retrieval of over $30,000 in cash from a bank robbery, and the

services of the Victim Witness Assistance Program.

Overall, the experiences I took from this summer have heightened my appreciation for the sacrifices made in the armed services and the dedication of NGOs in the field of domestic violence. I strongly encourage other students to step outside the United States to learn more about themselves, other cultures, different legal systems, and even different ways to say good bye—cheers and tschuß.

**FIRST PERSON**

**DONETSK**

A Ukrainian Summer

by Joseph Gulino, J.D. ’04

During the summer of 2003, I had the opportunity to travel to Ukraine as part of the University of Pittsburgh’s partnership with Donetsk National University’s Faculty of Law. For the first part of June, Pitt sponsored a summer school on International Commercial Law for students of Donetsk University. It gathered together a remarkable group of students, whose interest and curiosity could be a lesson to any American law student. Later, we hosted a conference on legal practice at a resort in Crimea. All the while I had the opportunity to see the beautiful sites and learn more about the history and culture of the country.

While Professors Brand, Branson, and Walter taught their courses about international business transactions and corporations, I worked with the students in examining the American law through its portrayals in various films. The students were familiar with most of the films we saw, but now had the opportunity to have their questions answered and to learn more about many aspects of our legal system. I was continually amazed at their ability to take in and process information in a foreign language, and do it well. I know personally of the difficulty of this, allowing me to appreciate more fully the efforts they have made and their accomplishments.

I also had the experience of being the only American student assisting with the summer school. In this way I was able to bring an interesting and different perspective to the students there. They seemed to enjoy the opportunity to have a contemporary present to satisfy their curiosity about American law schools and the American legal system in general; I was their connection to their American counterparts.

There was an added bonus for students enrolled in the summer school: the top performers on the final exam would be invited to join us at a resort in Crimea, on Ukraine’s Black Sea coast, for the conference. After the end of the summer school program, we embarked on a train ride from Donetsk to Crimea, with several students and faculty members, as well as lawyers involved in private practice in Ukraine.

The conference was a great opportunity to bring together American lawyers and scholars with their Ukrainian equivalents, and to involve students in the process. For the several days of the conference we all stayed in the same small hotel, spending all of our time and sharing every meal together. During breaks in the conference, we were able to visit some of the beautiful sites of the area, including churches and castles, take a gondola ride to the top of the highest peak (1234m), and spend time on the beach. Meanwhile, the conference continually provoked thoughtful discussion on the issues through the various presentations on the topic. I presented to the Ukrainian lawyers my perspective of how the American law school prepares students for legal practice.

Before my departure from Ukraine, I spent a few days visiting the beautiful capital, Kyiv. I was hosted by students from the Kyiv Institute for International Relations, another university with which Pitt has a partnership program. My guides during my visit to Kyiv were the students and coach from the Kyiv Vis team, whom I had met during the competition this past April in Vienna.

Many people at Pitt may not be familiar with the work we do in places like Ukraine. I have the advantage of witnessing it firsthand and being amazed at every new thing I saw. From students actively engaged in learning from American professors, to friendships made in Vienna that continue and evolve, to American lawyers and scholars sharing their experiences in the hope that Ukrainian lawyers can learn something and become even more successful, it is not hard to see that Pitt is making a difference. Testimonials from Americans like me aside, every place I went and every person I met was genuinely grateful for this partnership and for the energy Pitt is expending to make it a success.
Most of the members of the ninth LL.M. class at the School of Law arrived in July 2003 for the English for Lawyers course to develop their language skills, become familiar with the U.S. legal education system, and visit legal institutions in the Pittsburgh region. They come to Pitt with diverse backgrounds and strong academic records from locations around the globe. This year’s class includes two Muskie Fellows, a Ron Brown Fellow, a Fulbright Fellow, and representatives selected by the law faculties at Moi University in Eldoret, Kenya, The International Relations Institute at Kyiv National Taras Shevchenko University, the University of Belgrade, and Donetsk National University. This year’s afternoon sessions included visits with Federal Circuit Judge Joseph Weis and District Judge Robert Cindrich at the federal courts, the law firm of Meyer, Unkovic and Scott, and offices at the City-County Building (where they met with Mayor Tom Murphy). The members of the Class of 2004 are:

In Kwon Cho (Korea/ROK) worked as the deputy director of the Budget Management Office Division in Incheon, Korea, where investment investigation was his primary responsibility. Mr. Cho graduated with a B.A. Degree from Inha University and his Law Degree from Korea National Open University. His wife and son, Jung Hyun Wang and Won Min Cho, join him in Pittsburgh.

Alexandra Gorak (Ukraine) earned her Bachelor of Laws Degree from Donetsk National University (DNU) in Ukraine. She is now working toward a Ph.D. at DNU and is a member of the junior faculty, teaching Civil Law. Ms. Gorak is the recipient of fellowships from the Department of State linkage grant between the Universities of Pittsburgh and DNU and from Pitt’s University Center for International Studies (UCIS).

Susanne Hofmann (Germany) received her law degree from the University of Augsburg Faculty of Law. She has served as an intern for Linklaters Oppenhoff and Radler in Munich, advising international clients in the tax and company law department. She is the recipient of a tuition fellowship sponsored by the Center for International Legal Education and the University Center for International Studies.

Dmitry Lysenko (Russia) graduated in 2001 with a Law Degree from Rostov State University in Rostov-on-Don, Russia. He has worked at Rostov State University as a lecturer since 1998, where he continued to lecture while practicing law with the limited liability company, Derzhava. Mr. Lysenko is the recipient of a Muskie Fellowship.

Maurice Oduor (Kenya) received his Bachelor of Laws Degree from Moi University in Eldoret, Kenya, where he worked as a legal assistant and was co-author of an article in the International Journal of Clinical Legal Education, “Reflections on the Implementation of Clinical Legal Education in Moi University, Kenya.” Mr. Oduor is the recipient of a CILE fellowship and a Franklin West Housing Fellowship.

Lucia Ostoni (Italy) received her Law Degree from Universita degli Studi di Milano in Milan, Italy. She apprenticed with the firm Studio Legale Associato Sagramoso in Milan. Ms. Ostoni is the recipient of a Fulbright Fellowship, with funding support from contributors in Pittsburgh, including Attorneys Dominic Bellisario, Robert Creo, and Ronald DiGiorno, and the law firm of Disalle & Arcuri, P.C.

Vuk Radovic (Serbia and Montenegro) received both his Bachelor’s and Master’s degrees in law at the University of Belgrade, where he also served as a Graduate Student Instructor. Mr. Radovic has published the articles “Reporting Claims in Bankruptcy” in The Life of Law, and “Creditors’ Petition for Bankruptcy” in Law and Economy. He is the recipient of an LL.M. fellowship from the Department of State linkage grant between the Universities of Pittsburgh and Belgrade.

Tatsiana Seliazniova (Belarus) received her law degree from Polotsk State University in Novopolotsk, Belarus, and her master’s degree in Land Management from the Royal Institute of Technology in Stockholm, Sweden. She has been a lecturer in Family Law, Civil Law, Environmental Law, and International Private Law at the Faculty of Law at Polotsk State University. She is the recipient of the Muskie Fellowship.

Tserendagva Sodkhuu (Mongolia) received his Law Degree from the National University of Mongolia. After the democratic movement in Mongolia, he was working in Mongolia’s financial sector and eventually moved into senior management-level positions with the Mongolian Stock Exchange. He most recently worked in the private sector as CEO of a non-banking financial institution, Deltasan, Inc. Mr. Sodkhuu has also lectured on securities law to students of the Legal Retraining Center of the Ministry of Justice and the Retraining Center of Judges, at the Supreme Court of Mongolia. His wife, Otgonjargal Nadmid, and son, Anand Sodkhuu, join him in Pittsburgh.

Zoran Skopljak (Serbia & Montenegro) received his Bachelor’s and Master’s Degrees in Law from the University of Belgrade Faculty of Law. He has served as a research assistant at the Institute for European Studies in Belgrade. In 2002, Mr. Skopljak published the article The Rule of Law in ABC’s of Democracy, and edited Modernizing the Rules of Procedure of the National assembly of Serbia, which was published in Serbian and English. He is a recipient of the Ron Brown Fellowship.

Dmitro Taranyk (Ukraine) earned his LL.B. and LL.M. degrees from Kyiv National Taras Shevchenko University in Kyiv. He is currently doing research and working on his dissertation for his Ph.D. He has worked with the law firm of Melliuchenko and Likarchuk in Kyiv. Mr. Taranyk is the recipient of an LL.M. fellowship from the Department of State linkage grant between the University of Pittsburgh and Kyiv National Taras Shevchenko University Institute of International Relations.

Violetta Vatagina (Russia) received her Bachelor of Laws degree from Moscow State Law Academy, Russia. She has worked as an associate advising clients on issues related to international business transactions at the Zeeberg, Stabreit, Garese law firm. Ms. Vatagina is the recipient of a Muskie Fellowship.

Hui-Ying Wang (Taiwan/ROC) received her LL.B. Degree from Soochow University in Taipei, Taiwan/ROC. After receiving her degree she served as a paralegal at Libertas Law Office and as a legal consultant at the Far Eastern Group in Taipei.
Arthur Ford ('03), David Slavick ('04), and Ethan Takahashi ('04) participated in the 2003 Niagara Moot Court in Toronto, Canada. The competition took place on March 14–15 with Arthur awarded Fifth Best Oralist and the team’s Memorial for the Applicant placing second.

Joseph Gulino ('03), Ian Leuschner ('04), and Kim Luu ('04) participated in the 2003 Willem VIS International Moot Court Competition in Vienna, Austria on April 10–18.

Scott Jablonski ('03) received a Foreign Language Area Studies Fellowship through the Center for Latin American Studies. The fellowship covers tuition and stipend for the 2003–2004 academic year. He will study Spanish in addition to his law courses.

Zak Shusterman ('05) received a Foreign Language Area Studies Fellowship through the Center for Russian and East European Studies. The fellowship covers tuition and stipend for the 2003–2004 academic year. He will study Serbian in addition to his law courses.

Michelle Bretzing ('05) received a Foreign Language Area Studies Fellowship through the Center for Russian and East European Studies. The fellowship covers tuition and stipend for the 2003–2004 academic year.

Gregory Walker ('06) received a Foreign Language Area Studies Fellowship through the Center for West European Studies. The fellowship covers tuition and stipend for the 2003–2004 academic year.

Erica Burgess ('05) received a Foreign Language Area Studies Fellowship through the Center for West European Studies. The fellowship covers tuition and stipend for the 2003–2004 academic year.

Joe Gulino ('03) received a Foreign Language Area Studies Fellowship through the Center for West European Studies. The fellowship covers tuition and stipend for the 2003–2004 academic year.

The following students studied or worked abroad during the summer in 2003:

Grace Akers ('05) developed knowledge of other legal systems and strengthened her Spanish language in Spain. She received a CILE scholarship.

Nawshin Ali ('05) studied International Human Rights Law and War Crimes Prosecution in the the Czech Republic. He received a CILE scholarship.

Shabnaum Amjad ('03) conducted a survey on battered Asian women and domestic violence in the United Kingdom through an internship with the Asian Women's Help line and with ARMY Judge Advocate General Corps. He received a CILE scholarship.

Ryan Blood ('05) studied European law in Ireland. He received a CILE scholarship.

James Conway ('05) strengthened his international focus and gained practical experience in the Australian legal system. He received a CILE scholarship.

Samantha Doepken ('04) studied in Italy. She received a CILE scholarship.

Zak Shusterman ('03) participated in the 31st annual Brussels session of European Law in Belgium. He received a CILE scholarship.

Adam Henry ('05) studied in the United Kingdom. He received a CILE scholarship.

Scott Jablonski ('03) researched on the recently negotiated U.S.–Chile Free Trade Agreement in Chile. He received a CILE scholarship.

Debra Lefing ('04) studied Human Rights and Humanitarian Law and how to strengthen it internationally in the United States. She received a CILE scholarship.

Matthew McMullen ('04) worked with the European Observatory on Health Care doing comparative study on financing of health care and researched with TEAM EUROPE on barriers to trade in health law in the Netherlands and Belgium. He received a CILE scholarship.

Andrew Neal ('05) studied European Union Law in the United Kingdom. He received a CILE scholarship.

Arthur Richmond ('05) studied European Union Law and international intellectual property law in the Netherlands. He received a CILE scholarship.

David Robinson ('04) studied abroad in Norway at the University of oslo. He received a CILE scholarship.

Elizabeth Schroeder ('05) studied abroad in Spain. She received a CILE scholarship.

Adam Shapiro ('04) interned at the Criminal Tribune for former Yugoslavia. He received a CILE scholarship.

Kerry Sheehan ('05) interned at the Human Rights Center and the University of Pristina in Kosovo. She received a CILE scholarship.

Zak Shusterman ('05) interned in Belgrade, Serbia. He received a CILE scholarship and was also supported by our Belgrade Grant.

David Slavick ('04) studied abroad for the World Trade Organization in Serbia and Montenegro with a European Union Fellowship and CILE scholarship.

Adam Warhola ('05) studied abroad in Austria. He received a CILE scholarship.

James Whetzel ('05) studied globalization in business in Ireland and the Czech Republic. He received a CILE scholarship.

The following students attended the Summer at Sea law program during the 2003 summer voyage:

Garvin, Laura ('05)
Grundman, Feige ('05)
Hykes, Danielle ('05)
Miles, Linnley ('05)
Rosenberger, Jo ('05)
Ross, Jeffrey ('05)
Schoeder, Jeremy ('05)
Schultz, Tim ('05)
Vanvalkenburg, Erin ('05)
Wittmeyer, Cathy ('04)
Pavel Ashtikov (LL.M. ’02) recently litigated video and audio piracy cases on behalf of the Russian government in the Russian Supreme Court, and represented Mayor Luzhkov of Moscow in the Moscow City Court.

John I. Blanck Jr. (J.D. ’95) is an Attorney with the Office of the Legal Adviser, International Claims and Investments and Disputes, at the U.S. Department of State in Washington, D.C.

Nicole R. Breland, (J.D. ’01) is a Foreign Affairs Specialist with the Office of Export Control Policy and Cooperation, at the U.S. Department of Energy in Washington, D.C.

Daniela Brito (LL.M. ’96) passed the New York Bar Exam in February of 2003. She recently received Italian citizenship.

Matthew Comstock (J.D. ’95) is an attorney with the Securities and Exchange Commission in Washington, D.C.

Daniela Ermlund (LL.M. ’97) is a Professor of International and Commercial Law in Curitiba, Brazil. She and her husband, Lucio, have two children: Felipe, who is 4, and Giovana, who is 16 months.

Rodrigo Bulnes (LL.M. ’00) continues to practice law in Santiago, Chile, specializing in software piracy issues. He and his wife, Susan, became the proud parents of a son, Martín on July 11, 2003.

Drew Ciancia (J.D. ’99) will begin work on his Ph.D. this fall in the School of Slavonic and East European Studies at University College, London, where he will focus on democratization in Eastern Europe.

Daniil Fedorchuk (LL.M. ’01) will take a spring 2004 leave of absence from his teaching duties at Donetsk National University, where he is Director of the Center for International and European Law, for an internship with the World Trade Organization in Geneva.

Myles Getlan (J.D. ’95) practices international trade law with Miller & Chevalier Chartered in Washington, D.C.

Robert Gross (J.D. ’97) is an Associate with Sidley, Austin, Brown & Wood, in Washington, D.C., practicing in the area of securitization and structured finance.

Yanping Hu (LL.M. ’02) passed the New York Bar Exam and is presently working at Shenlaw.com Law Firm, LLC.

Bor-Shan Lin (LL.M. ’97) received his Ph.D. in law from Renmin University of China through a scholarship from the Ministry of Education, P.R.C., and has resumed his position teaching civil law, property, and copyright law at the Chinese Culture University.

David Pawlak (J.D. ’96) is an Attorney with the Office of the Legal Adviser at the U.S. Department of State in Washington, D.C.


Corin Stone (J.D. ’98) is an Attorney with the Office of the Legal Adviser at the U.S. Department of State in Washington, D.C.

Elke (Flores) Suber (J.D. ’96) has joined the corporate legal department of CIGNA in Philadelphia, specializing in intellectual property matters.

Varangkana Wongvidtaya (LL.M. ’99) is currently working as an associate at International Legal Counselors Thailand Ltd. in Bangkok, where she practices corporate, commercial, and immigration law. Varangkana also taught Investment Law during the fall semester of 2002 at Assumption University in Thailand. In December 2002 she married Ittinant Suwanjutha.

Professor Elena Baylis joined the faculty of the School of Law in fall 2003, and will teach courses in Torts, Crimes Against Humanity, and New Democracies in Transition. From February 2002 to January 2003, she taught at Mekelle University Law Faculty in Ethiopia as a visiting assistant professor for the University of Alabama. While in Ethiopia, Professor Baylis co-founded and served as director of Mekelle University’s Women’s Association from April 2002 to January 2003. She was a panelist on the Mekelle-Alabama linkage program at the Association Liaison Office for University Cooperation in Development Annual Conference in Washington, D.C., in August 2002. Professor Baylis also served as a speaker and a participant in the Ethiopian Federal Supreme Court Conference on Constitutional Interpretation, in Addis Ababa, Ethiopia, in December.

Professor Baylis published “Simple Justice: Judicial Philosophy in the Kingdom of Bhutan,” 62 Green Bag 131 (with D. Munro), and “U.S. and Multilateral Enforcement of International Criminal Law,” 36 International Lawyer 569 (with C. Breckenridge), as well as correspondence concerning reservations to international human rights treaties in 97 American Journal of International Law 107.


Professor Ronald Brand spoke on “Jurisdiction to Adjudicate and the Transnational Corporation: An Audit of Jurisdictional Rules in the U.S. and Abroad,” at the meeting of the Western Pennsylvania Chapter of the American Corporate Counsel Association on February 3, 2003. On February 7, Professor Brand spoke on excuse for non-performance at the “Beyond the UNCITRAL Digest” symposium at the School of Law dealing with the UN Sales Convention. On March 25–28, Professor Brand participated at the Hague Conference on Private International Law in the Working Group charged with preparing a draft convention on choice of court and enforcement of judgments. The draft will serve as the basis for future negotiations scheduled for December 2003.


On February 28, 2003, Professor Brand received the Chancellor’s Distinguished Service Award for his work with the U.S. Delegation to the Hague Conference on Private International Law negotiating a treaty on jurisdiction and enforcement of foreign judgments.

Professor Brand, along with Professor Flechtner and Mark Walter, attended the Vis International Arbitration Moot in Vienna, April 11–17, 2003, to work with the team from Pitt as well as the four other teams sponsored by our State Department exchanges with Donetsk National University, Ukraine; Kyiv Taras Schevchenko National University, Ukraine; the University of Belgrade; and the University of Pristina.

On May 12–13, Professor Brand attended the annual meeting of the American Law Institute, and participated in the debate and discussion on the ALI/UNIDROIT Principles and Rules of Transnational Civil Procedure and the ALI International Jurisdiction and Judgments Project.

On May 19, Professor Brand was a member of the opening panel of the Workshop on Judicial Cooperation Between the United States and Europe, held at the headquarters of the Association of the Bar of the City of New York and sponsored by the Columbia University Law School and the University of Brussels Faculty of Law. His panel covered the topic: A Tale of Two Unions (Full Faith and Credit and Due Process in the United States—Area of Freedom, Security and Justice in Europe).


Continued on next page

Professor Curran Becomes Director of LL.M. Program

The Center for International Legal Education welcomes Professor Vivian Curran as the new director of the Pitt LL.M. Program. Curran has been an important part of LL.M. program from its inception in 1995, regularly teaching the American Legal Analysis course to the class. Her expertise in comparative law provides a particularly valuable perspective in her work with the LL.M. class. We welcome her to this new role.
Professor Teresa Brostoff and Professor Ann Sinsheimer taught their English for Lawyers course at Taras Shevchenko University Institute of International Relations in Kiev, Ukraine, in May. They also taught the regular three-week program in Pittsburgh in July. In August, Professor Brostoff and Professor Kevin Deasy taught the course at Meiji Gakuin University in Tokyo. While at Meiji Gakuin, she also spoke at a conference of the Creative Mind Institute. The EFL course then went to the University of Ghent, Belgium, with Professors Brostoff and Sinsheimer in October 2003. Professors Brostoff and Sinsheimer have a Fulbright grant for two consecutive years of teaching English for Lawyers at the law faculty at Ghent.

The second edition of the book Legal English: An Introduction to the Law and Culture of the United States, co-written by Professors Brostoff and Sinsheimer, was published in August 2003.

Associate Dean John Burkoff taught a course entitled “Introduction to the American Criminal Justice System” at the University of Belgrade Law Faculty March 2–9.

Professor Pat Chew presented at the AALS Annual Meeting in the plenary session in the ADR Workshop on January 3, 2003 on the topic of “The Pervasiveness of Culture in Conflict” as part of the program, “Enlarging the Canon.” Professor Chew is co-authoring a new text entitled International Conflict Resolution for West Publishers with co-authors Jacqueline Nolan-Haley, Thomas Carbonneau, and Hal Abrams. During summer 2003, she taught on the Law School’s Summer at Sea voyage throughout the Pacific region.

Professor Vivian Curran chaired a session on “Global Trends in the Instability of Nations” at Pitt’s symposium on “Globalization, Regionalism and Political Stability” in May. Professor Curran has been elected an Associate Member to the International Academy of Comparative Law. In May 2003, Professor Curran joined a French law journal, Revue de science criminelle et de droit pénal comparé, as a foreign contributor. She will contribute a chapter for the book, La mémoire en le silence et l’oubli, to be published by the University of Laval Press. Professor Curran’s article “Politicizing the Crime Against Humanity: The French Example” was published in Notre Dame Law Review; and her piece, “Formalism and Anti-Formalism in French and German Judicial Methodology” was published as a chapter in Darker Legacies of Law in Europe (Hart). Professor Curran gave a talk on “Plurijuridisme” at the Law School in Aix-en-Provence on September 5.

Professor Harry Flechtner completed the second edition of his casebook (Sales, Leases, and Electronic Commerce: Problems and Materials on National and International Transactions, co-written with John Murray) in February 2003. His commentary on the Seventh Circuit opinion applying the CISG, co-written by Professor Joseph Lookofsky of the University of Copenhagen, will appear in Volume 7 of the Vindobona Journal of International Commercial Law & Arbitration. On February 7, Professor Flechtner was one of the five principal speakers at the “Beyond the UNCITRAL Digest” symposium at the School of Law dealing with the UN Sales Convention. Professor Flechtner (along with Professor Brand and CILE Assistant Director Mark Walter, who were coordinating teams from the Ukraine, Serbia and Kosovo) accompanied the student team representing the University of Pittsburgh at the Willem Vis International Commercial Arbitration Moot held in Vienna, Austria from April 11 through April 17. On April 18, Professor Flechtner delivered a presentation to a conference on “Revisiting the 1980 Uniform Sales Law in Light of Recent Experiences” at the University of Verona, Italy. His topic was “The Influence of the U.N. Sales Convention on the UNIDROIT Principles of International Commercial Law and the Principles of European Contract Law.”

In July, Professor Flechtner gave a presentation on the United Nations Sales Convention (“CISG”) to the 11th Circuit Judges’ Workshop on October 1. Also, the book based on the CISG Conference held at the Law School last February, for which Professor Brand, Professor Franco Ferrari of the University of Verona (who visited here last spring) and Professor Flechtner are editors and contributors, appears poised for October publication.

A book entitled The 1980 Uniform Sales Law: Old Issues Revisited in the Light of Recent Experiences (Franco Ferrari, ed.), which contains a chapter by Professor Flechtner based on a presentation he made at a conference in Verona, Italy, last spring, has just been published.

Professor Anthony Infanti made a presentation entitled “Cross-Border Outsourcing: International Tax Pitfalls, Pratfalls, and Opportunities” to the Pittsburgh Tax Club in April 2003. The article that he prepared and circulated in conjunction with this presentation was published in the September issue of Taxes magazine.

Professor Darryll Jones’ article, “The Neglected Role of International Altruistic Investment in the Chinese Transition Economy,” has been accepted for publication in April 2003 by The George Washington International Law Review.

Professor Jules Lobel gave presentations to the New York Bar Association on International Law and the War with Iraq; at the Pittsburgh Theological Seminary on Law, Morality and War; and at the University of Pittsburgh Medical School on the Iraq War. He was invited to speak at the National Executive Board meeting of Amnesty International in New York.

The Officers of the International Law Society 2003 - 2004
President: Ian Leuschner
Vice President: Andrew Neal
Treasurer: Zak Shusterman
City on the problem of humanitarian intervention. He regularly commented on international law issues on MSNBC, WQED, and various radio programs. His op-ed on international law and the Iraq War appeared in the Pittsburgh Post-Gazette. In June 2003, he taught Comparative Civil Liberties in Florence, Italy, in the summer school program sponsored by the University of San Diego Law School. Professor Lobel co-authored an Amicus Brief on behalf of over 140 Law Professors in the Padilla case challenging the President’s constitutional authority to indefinitely detain an American citizen taken into custody in the United States by labeling him an enemy combatant.

Professor John Parry’s paper entitled “Terrorism and Collective Responsibility,” which he presented at the Third Global Conference: Perspectives on Evil and Human Wickedness, in Prague, is to be revised and published in a volume of selected conference papers this year. In fall 2002, Professor Parry’s article “The Lost History of International Extradition Litigation” appeared in the Virginia Journal of International Law, and his article “No Appeal: The Supplementary US-UK Extradition Treaty’s Attempt to Create Federal Jurisdiction” appeared in the Summer 2003 issue of the Loyola of Los Angeles Journal of International and Comparative Law. Professor Parry has been asked to help organize and give the keynote address at a conference on Law & Evil, to be held at Oxford, UK, in summer 2004.

Professor Ann Sinsheimer and Professor Teresa Brostoff taught their English for Lawyers course at Taras Shevchenko University Institute of International Relations in Kiev, Ukraine, in May. They also taught the regular three-week program in Pittsburgh in July. The course then went to the University of Ghent, Belgium, with Professors Brostoff and Sinsheimer in October 2003. Professors Brostoff and Sinsheimer have a Fulbright grant for two consecutive years of teaching English for Lawyers at the law faculty at Ghent.

The second edition of the book Legal English, co-written by Professors Brostoff and Sinsheimer, was published in August 2003.

Congratulations to the LL.M. class of 2003!
Departing Vancouver on June 17 and returning to Seattle on August 21, the 65-day Summer at Sea program will take students to nine exciting and diverse ports of call from Alaska to Vietnam. Travel will be aboard the SS Universe Explorer, which will be equipped as a floating university. The vessel boasts classrooms, a student union, a dining room, two swimming pools, and fitness facilities.

Students will have a choice of courses from which to select the required six credits, with topics tied to the voyage and special opportunities to visit legal institutions at various ports of call. The program will operate in conjunction with the University of Pittsburgh’s regular Semester at Sea undergraduate program of up to 650 students. Tuition, including housing, meals, and the voyage, is $5,975.

For further information, contact the Center for International Legal Education by phone at 412-648-7023 or by email at cile@law.pitt.edu, or see http://www.law.pitt.edu/sea. An application form may be downloaded at http://www.semesteratsea.com/applications/download.html.