

Elena Baylis

3900 Forbes Ave., Pittsburgh, PA 15260
1901 Pennsylvania Ave. NW, Suite 407, Washington, DC 20006
ebaylis@pitt.edu | 412-867-8690

Experience

University of Pittsburgh School of Law, Pittsburgh, PA (2003 – present)

Professor of Law

Joint Appointment, Graduate School of Public and International Affairs (by courtesy)

Teaching areas: Legislation and regulation; Administrative law; International and comparative law

Research areas: Repatriation of art and cultural objects; International criminal law; Transitional justice; U.S. public policy

Administration: Faculty Advisor, Public Policy Concentration; Faculty Advisor, JD/MPA Joint Degree Program; Semester in DC Program Director (2009-21)

George Washington University School of Law, Washington, DC (Spring 2023)

Visiting Professor

Georgetown University Law Center, Washington, DC (Spring 2008)

Visiting Scholar

University of Connecticut School of Law, Hartford, CT (Spring 2007)

Visiting Professor

University of Alabama School of Law (2002-03)

Visiting at Mekelle University Law Faculty, Mekelle, Ethiopia

Visiting Assistant Professor

One-year visiting appointment in Mekelle through a Mekelle-Alabama linkage program

Shea & Gardner, Washington, DC (2000-02)

Attorney

Practice areas: Civil litigation, national security, and foreign policy

U.S. District Court, Central District of California, Los Angeles, CA (1998-99)

Law Clerk for Judge Mariana R. Pfaelzer

Education

Yale Law School, J.D., 1998

Raphael Lemkin Prize for the best paper on international human rights; Senior Editor, Yale Law Journal; Submissions Editor, Yale Journal of International Law; Director, Immigration Clinic

University of Oregon, B.A., *summa cum laude*, 1993

Phi Beta Kappa; Russian Department Honors; Honors College graduate; Award of Distinction for Honors Thesis; Russian and East European Studies Certificate

Publications

Looted Cultural Objects, 124 Columbia Law Review Forum (forthcoming)

Protection and Repatriation of Cultural Objects, in Elgar Concise Encyclopedia of Law and Peace (Edward Elgar Publishing, Louise Mallinder, Rachel Killean, & Lauren Dempster, eds.) (forthcoming)

Regionalized Hybrid Courts, in Hybrid Justice: Innovation and Impact (Oxford University Press, Kirsten Ainley & Mark Kersten, eds.) (forthcoming)

Post-Conflict Reconciliation in Ukraine, 5 Revue européenne du droit 71 (2023)

White Supremacy, Police Brutality, and Family Separation: Preventing Crimes Against Humanity Within the United States, 2022 University of Illinois Law Review 1475 (2022)

Transnational Collaborations in Transitional Justice, in International Law as Behavior (Cambridge University Press, Harlan Grant Cohen & Timothy Meyer, eds., 2021)

Extreme Cases in Hybrid Criminal Courts, 35 Temple International and Comparative Law Journal 95 (2021) (invited symposium article)

Cosmopolitan Pluralist Hybrid Tribunals, in Oxford Research Handbook on Global Legal Pluralism (Oxford University Press, Paul Schiff Berman, ed., 2020)

The International Law Commission's Soft Law Influence, 13 FIU Law Review 1007 (2019) (invited symposium article)

Dakar Guidelines on the Establishment of Hybrid Courts (London School of Economics Institute of Global Affairs 2019) (primary drafter, with Kirsten Ainley, Philipp Ambach, Fidelma Donlon, Mark Kersten, Tiya Maluwa, & Angela Mudukuti)

Transitional Justice and Development Aid to Fragile and Conflict-Affected States, in Justice Mosaics: How Context Shapes Transitional Justice in Fractured Societies (International Center for Transitional Justice, Roger Duthie & Paul Seils, eds., 2017)

The Persuasive Authority of Internationalized Criminal Tribunals, 32 American University International Law Review 611 (2017) (invited symposium article)

Declining Controversial Cases: How Marriage Equality Changed the Paradigm, New York University Journal of Legislation and Public Policy Quorum 110 (2015)

What Internationals Know: Improving the Effectiveness of Post-Conflict Justice Initiatives, 14 Washington University Global Studies Law Review 243 (2015)

Function and Dysfunction in Post-Conflict Justice Networks and Communities, 47 Vanderbilt Journal of Transnational Law 625 (2014)

Promoting Contractor Accountability in Conflict Zones, 9 Journal of International Law and International Relations 70 (2012) (book review) (peer reviewed journal)

Reassessing the Role of International Criminal Law: Rebuilding National Courts Through Transnational Networks, 50 Boston College Law Review 1 (2009)

Outsourcing Investigations, 14 UCLA Journal of International Law and Foreign Affairs 121 (2009)

Tribunal-Hopping with the Post-Conflict Justice Junkies, 10 Oregon Review of International Law 361 (2008) (invited symposium article)

National Security and Political Asylum, in *Immigration, Integration and Security: Europe and America in Comparative Perspective* (Ariana d'Appollonia & Simon Reich, eds., University of Pittsburgh Press 2008)

Parallel Courts in Post-Conflict Kosovo, 32 Yale Journal of International Law 1 (2007) (selected for American Society of Comparative Law Work in Progress Workshop)

Sending the Bureaucracy to War, 92 Iowa Law Review 1359 (2007) (with David Zaring) (reprinted in *Economic Sanctions* (Edward Elgar Press, Michael Malloy, ed., 2014))

The Inevitable Impunity of Suicide Terrorists, in *Evil, Law and the State: Issues in State Power and Violence* (Rodopi Press, John Parry, ed., 2006)

Suicidal Impunity, in *Evil, Law and the State* (e-book), Istar Gozaydin & Jody Madeira, eds. (2006)

Should God and Caesar Litigate?, 8 Green Bag 431 (2005) (book review)

Minority Rights, Minority Wrongs, 10 UCLA Journal of International Law and Foreign Affairs 66 (2005) (selected for American Society of International Law New Voices panel)

Beyond Rights: Legal Process and Ethnic Conflict, 25 Michigan Journal of International Law 529 (2004) (reprinted in *The United Nations System for Protecting Human Rights*, Vol. IV (Ashgate Press, Dinah Shelton, ed., 2014) and *International Conflict Resolution: Consensual ADR Processes by Nolan-Haley, Abramson, and Chew* (West Publishing 2005))

Simple Justice: Judicial Philosophy in the Kingdom of Bhutan, 6 Green Bag 131 (2003) (with Donald Munro)

General Comment 24: Confronting the Problem of Reservations to Human Rights Treaties, 17 Berkeley Journal of International Law 277 (1999)

The Oregon Model: Education Reform by Public Mandate, 26 Journal of Law & Education 47 (1997)

Selected Commentary

Mobilizing International Networks for Domestic Accountability, Invited Comment on Patryk Labuda's "International Criminal Tribunals and Domestic Accountability," Völkerrechtsblog, <https://voelkerrechtsblog.org/21281-2/>

Reconciliation, Options for a Peace Settlement for Ukraine: Option Paper XI, Ukraine Peace Settlement Project, Lauterpach Centre for International Law, University of Cambridge and *Opinio Juris*, <https://cambridgepeace.org/wp-content/uploads/2023/03/Baylis-Reconciliation.pdf>

Empower National and Regional Courts, New York Times, <http://www.nytimes.com/roomfordebate/2014/12/11/do-we-need-the-international-criminal-court/empower-national-and-regional-courts>

Founding member and regular contributor, <https://ilg2.org/> (2007-10)

Selected Presentations

Invited Participant, Professionals and Professionalism(s) in International Criminal Justice Workshop, University of Copenhagen (prospective June 2024)

Invited Discussant, American Society of International Law Midwest Interest Group Works-in-Progress Workshop (prospective March 2024)

Invited Participant, Potomac Foreign Relations Law Roundtable, George Washington University Law School (March 2024)

Speaker, "Looted Cultural Objects," George Washington University Law School Faculty Workshop (January 2024)

Speaker, "Enabling the Return of Looted Foreign Cultural Objects," American Society of International Law Research Forum (November 2023) (paper competitively selected)

Speaker, "Returning Looted Foreign Cultural Objects," American Society of Comparative Law Annual Meeting (October 2023)

Speaker, "International Criminal Law Professionals in the Ukraine Conflict," Professionals and Professionalism(s) in International Criminal Justice Workshop, University of Leeds (July 2023)

Speaker, "Promoting Return of Cultural Artifacts by U.S. Institutions," Law and Society Association Annual Meeting (June 2023)

Speaker, "Contours, Place, and the Role of Communities in International Law and Participatory Governance," American Society of International Law Annual Meeting (March 2022)

Speaker, "1951 Convention Safeguards in the Evolving Context of Mixed Migration," Expert Legal Forum: 70th Anniversary of the 1951 Refugee Convention, UNHCR and University of Pristina (December 2021)

Discussant, "New Approaches to Justice and Human Rights," American Society of International Law Research Forum and Midyear Meeting (November 2021)

Speaker, "Preventing Crimes Against Humanity Within the United States," Law and Society Association Annual Meeting (May 2021)

Speaker, "Systemic Racism in the United States as an International Crime," Temple Law School, Institute for International Law and Public Policy (November 2020)

Speaker, "Preventing Crimes Against Humanity Within the United States," American Society of International Law Research Forum (October 2020) (paper competitively selected)

Discussant, Institute for International Law and Public Policy Roundtable, Temple Law School (March 2020)

Speaker, "Regionalized Hybrid Courts," American Society of International Law, International Criminal Law Interest Group Work-in-Progress Workshop (February 2020)

Speaker, "The Politics of Global Legal Pluralism," Law and Society Association Annual Meeting (May 2019)

Speaker, "Regional Interests in Hybrid Criminal Tribunals," Law and Society Association Annual Meeting (May 2019)

Speaker, "The ILC's Future Role and the Changing Landscape of International Law," Symposium: The Role and Contributions of the International Law Commission to the Development of International Law, Florida International University (October 2018)

Speaker, "Pluralist Hybrid Courts," International Law Colloquium, St. John's University School of Law (September 2018)

Organizer/Moderator, International Criminal Law Interest Group Work-in-Progress Workshop, American Society of International Law (April 2018)

Discussant, Hybrid Justice Workshop, London School of Economics (January 2018)

Speaker, "Hybrid Criminal Courts as Pluralist Institutions," Global Legal Pluralism Conference, Queen Mary University of London Centre for Law and Society in a Global Context (November 2017)

Speaker, "Transnational Collaborations in Transitional Justice," Faculty Workshop, Marquette Law School (October 2017)

Moderator, Nuremburg Forum, International Nuremburg Principles Academy, Nuremburg, Germany (October 2017)

Expert Participant, Hybrid Justice Workshop, Dakar, Senegal (July 2017) (co-sponsored by the Rockefeller Foundation, the LSE Institute of Global Affairs and the Wayamo Foundation)

Speaker, "Transnational Models in Rule of Law Initiatives," Sociological Inquiries into International Law Conference, Centre of Excellence for International Courts, Copenhagen, Denmark (April 2017) (Paper proposal competitively selected)

Speaker, "Should the ICC Privilege Global or Local Justice Goals?" American Society of International Law Annual Meeting (April 2017)

Speaker, “Transnational Models in Rule of Law Initiatives,” IntLawGrrls Tenth Birthday Conference, University of Georgia School of Law (March 2017) (Paper proposal competitively selected)

Speaker, Hybrid Justice workshop, London School of Economics (March 2017) (invitation-only workshop co-sponsored by the Rockefeller Foundation, the LSE Institute of Global Affairs and the Wayamo Foundation)

Selected Professional Roles

Research Forum Committee, American Society of International Law (2022)

Advisory Director, Brothers Brother Foundation (2004-2022)

Secretary of International Criminal Law Interest Group, American Society of International Law (2017-20)

Project Expert, Hybrid Justice Project, co-sponsored by the Rockefeller Foundation, the Wayamo Foundation and the London School of Economics Institute of Global Affairs (2017-19)

Contributor, Draft Brief of Human Rights Nongovernmental Organizations as *Amici Curiae* in Support of Appellees, *Ms. L v. United States Immigration and Customs Enforcement* (2018)

Vice Chair of the International Law Section, American Bar Association (2016-17)

Consultant, International Center for Transitional Justice (2015-16)

U.S. Institute of Peace, recipient of an Annual Grant (2009-11)

Reviewer, Oxford University Press, Stanford University Press, University of Michigan Press, Cambridge University Press, Routledge Press, U.S. Institute of Peace