

Ingrid Brunk Wuerth

Vanderbilt University Law School
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FACULTY APPOINTMENTS

Vanderbilt University School of Law

Professor, 2007-present

Associate Dean for Research, 2020-present

Helen Strong Curry Chair in International Law, 2016-present

Director, Cecil D. Branstetter Litigation & Dispute Resolution Program, 2018-present

Director, International Legal Studies Program, 2009-2018

Courses: Civil Procedure; Conflicts of Laws; Comparative Constitutional Law; Foreign Relations Law; Human Rights in Europe; International Protection of Human Rights; Public International Law; Transnational Litigation

Awards: Hall-Hartman Outstanding Professor Award, 2014, 2015, 2016, 2017 (two awards), 2018 (two awards), 2020, 2021; selected by students to deliver 2018 Commencement Address

University Service: Co-Chair, Provost's International Strategy Working Group, 2016-2020; University Grievance Process Chair, 2019-Current; Faculty Senator, 2016-2019; Vanderbilt University Research Council, 2020-present.

University of Cincinnati College of Law, Cincinnati, Ohio
Assistant, Associate, and Full Professor, 2000-2007

EDUCATION

The University of Chicago Law School

Juris Doctor (Honors), June 1994; Order of the Coif; *The University of Chicago Law Review*; Mandel Legal Aid Clinic

University of North Carolina at Chapel Hill

Bachelor of Arts, History (Honors) and German, May 1989
Morehead Scholar

CLERKSHIPS

The Honorable Jane R. Roth, U.S. Court of Appeals for the Third Circuit

The Honorable Jan E. DuBois U.S. District Court for the Eastern District of Pennsylvania

OTHER PROFESSIONAL EXPERIENCE

German Academic Exchange Scholar, 2011

Humboldt University, Berlin, Germany

Fulbright Senior Scholar, 2007

Dechert, Philadelphia, PA

Associate, 1994 – 1995, 1998 – 2000

Alexander von Humboldt Foundation

Chancellor's Scholar, Berlin, Germany 1997 – 1998

Fellow, Free University, Berlin Summer 2006

SERVICE

Scientific Advisory Board Member, Max Planck Institute of Comparative and International Law, Heidelberg, Germany (2019 – present)

Reporter, Restatement (Fourth) Foreign Relations Law, American Law Institute (2012-2018)

Elected Member, American Law Institute (2013-present)

Elected Member, German Society of International Law (2014- present)

Elected Member, Board of Editors, American Journal of International Law (2013-2018)

American Society of International Law, various leadership positions

Public International Law Advisory Committee to the Department of State (2011-2018)

WORKING PAPERS & FORTHCOMING PUBLICATIONS

Immunity as Liminal Space, EUROPEAN JOURNAL OF INTERNATIONAL LAW (forthcoming 2021) (with David Stewart) (solicited response)

Domestic Law as Translator and Enforcer: The Implementation of International Law in RESEARCH HANDBOOK ON INTERNATIONAL LAW AND DOMESTIC LEGAL SYSTEMS (H.P. Aust, H. Krieger and F. Lange (eds.)) (forthcoming 2022)

The Territorial Peace and International Law

Banks as Terrorists (with Mike Newton)

Reciprocity in U.S. Foreign Relations Law (with Diego Zambrano)

RESTATEMENT

Reporter, American Law Institute, RESTATEMENT (FOURTH) FOREIGN RELATIONS LAW OF THE UNITED STATES, SOVEREIGN IMMUNITY, Preliminary Drafts Nos. 1-4; Council Drafts No. 1-3; Tentative Drafts Nos. 1-3, 2013-2017, final version published Oct. 2018 (with David Stewart as co-Reporter on Sovereign Immunity)

CASEBOOK

U.S. FOREIGN RELATIONS LAW: CASES, MATERIALS, AND SIMULATIONS (with Sean D. Murphy and Edward T. Swaine) (5th ed.) (2018)

LAW REVIEW ARTICLES and SIGNIFICANT BOOK CHAPTERS

The Immunity of International Organizations, in THE RESTATEMENT AND BEYOND – THE PAST, PRESENT, AND FUTURE OF U.S. FOREIGN RELATIONS LAW (Sarah Cleveland, Paul Stephan, eds. 2020) (with David Stewart)

The Constitutional Rights of Foreign States, 88 FORD. LAW REV. 633 (2019)

Compliance in FUNDAMENTAL CONCEPTS FOR INTERNATIONAL LAW - THE CONSTRUCTION OF A DISCIPLINE (d'Aspremont & Singh, eds. (2019))

Immunity from Execution of State-Owned Banks, in CAMBRIDGE HANDBOOK ON THE INTERNATIONAL LAW OF IMMUNITY (2019)

The Future of the Federal Common Law of Foreign Relations, 106 GEORGETOWN L. REV. 1825 (2018)

International Law in the Post-Human Rights Era, 96 TEX. L. REV. 279 (2017)

Self-Execution in TREATIES IN AMERICAN LAW (Dubinsky, Fox & Roth, eds.) (Cambridge University Press 2017)

Customary International Law: An Instrument Choice Perspective 37 MICH. J. INT'L L. (2016) (with Laurence Helfer)

Zivotofsky v. Kerry: A Foreign Relations Law Bonanza, 109 AM. J. INT'L LAW (2015)

The Normalization of Foreign Relations Law (with Ganesh Sitaraman), 128 HARVARD L. REV. 1897 (2015)

The Supreme Court and the Alien Tort Statute: Kiobel v. Royal Dutch Shell, AMERICAN J. OF INTERNATIONAL LAW (2013)

Foreign Official Immunity: Unsettled Questions, Proposed Answers, SWISS REVIEW OF INTERNATIONAL AND EUROPEAN LAW (2013)

International Law in Domestic Courts and the Jurisdictional Immunities of the State Case, 13 MELBOURNE J. OF INTERNATIONAL LAW (2012)

Pinochet's Legacy Reassessed, 106 AMERICAN J. OF INTERNATIONAL LAW (2012)

Foreign Official Immunity Determinations in U.S. Courts: The Case Against the State Department, VA. J. INT'L L. (2011)

The Alien Tort Statute and Federal Common Law, NOTRE DAME LAW REVIEW (2010)

The Captures Clause, 76 CHICAGO LAW REVIEW (2009)

An Originalism for Foreign Affairs? 53 SAINT LOUIS LAW JOURNAL (2008) (symposium)

International Law and Constitutional Interpretation: The Commander-in-Chief Clause Reconsidered, 106 MICHIGAN LAW REVIEW 61 (2007)

Authorizations for the Use of Force, International Law, and the Charming Betsy Canon, 46 BOSTON COLLEGE LAW REVIEW 293 (2005)

The President's Power to Detain 'Enemy Combatants': Modern Lessons from Mr. Madison's Forgotten War, 98 NORTHWESTERN UNIVERSITY LAW REVIEW (2004) (cited at *Hamdi v. Rumsfeld*, 124 S.Ct. 2633, 2667 (2004) (Scalia, J. dissenting opinion))

The Dangers of Deference: International Claim Settlement by the President, 44 HARVARD INTERNATIONAL LAW JOURNAL 1 (2003)

Private Religious Choice in German and American Constitutional Law: Government Funding and Government Religious Speech, 31 VANDERBILT JOURNAL OF TRANSNATIONAL LAW 1127 (1998)

SHORTER WORKS

Amicus Brief (on behalf of neither party), *Gater Assets v. Moldovagaz* (Second Circuit, 2020) (arguing that *Frontera Resources Azerbaijan Corporation v. State Oil Company of the Azerbaijan Republic* (2009) should be reversed because foreign states and foreign state owned enterprises are protected by the 5th Amendment Due Process Clause)

Domestic Law and the Doctrine of Sources in OXFORD HANDBOOK ON THE SOURCES OF INTERNATIONAL LAW (2017)

Symposium Editor, *Foreign Official Immunity and the Work of the International Law Commission*, AJIL Unbound, online companion to the AMERICAN JOURNAL OF INTERNATIONAL LAW (December 2016)

Contributing Editor and Author, LAWFARE: HARD NATIONAL SECURITY CHOICES, online publication, *available at lawfareblog.com*

Subsequent Practice and Treaty Interpretation: Considerations of Domestic Constitutional Law in TREATIES AND SUBSEQUENT PRACTICE (Georg Nolte, ed.) (2013, Oxford University Press)

The Extraterritorial Application of the Alien Tort Statute, in PROCEEDINGS OF THE ANNUAL MEETING OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (2013)

The Alien Tort Statute and International Law and A Response to Colangelo, Feder, and Ramsey, (blog posts July 11 and 19, 2012) in On-Line symposium on *Kiobel v. Royal Dutch Shell*, SCOTUS Blog

Symposium Epilog: Foreign Sovereign Immunity at Home and Abroad, 44 VANDERBILT J. OF TRANSNATIONAL LAW 1233 (2012)

The \$15.5 Million Settlement in Wiwa v. Royal/Dutch Shell, Insights, American Society of International Law (2009)

The Transnationalization of Public Law, GERMAN LAW JOURNAL, 2009

The Enforcement of International Decisions in U.S. Courts, AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS OF THE 102ND ANNUAL MEETING (2009)

Medellin: The New, New Formalism? 13 LEWIS & CLARK LAW REVIEW 1 (2009) (symposium)

“Ex parte Milligan” and “Guantanamo” in the ENCYCLOPEDIA OF AMERICAN CIVIL LIBERTIES (2008)

Die (Ohn)Macht des Völkerrechts, DER TAGESSPIEGEL, August 28, 2006 (solicited opinion piece in major German newspaper)

International Law as an Interpretive Norm, AMERICAN SOCIETY OF INTERNATIONAL LAW PROCEEDINGS OF THE 99TH ANNUAL MEETING (2006)