

STEPHEN CONOLLEY MCCAFFREY

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Employment

Distinguished Professor of Law, University of the Pacific, McGeorge School of Law
(2000 - present); Professor of Law, 1977-2000
Counselor on International Law, Office of the Legal Adviser, U.S. Department of State
(1984-1985)
Professor of Law, Southwestern University School of Law (1974-1977)

Professional Activities

Member, United Nations International Law Commission (ILC) (1982-1991); Chair of the ILC for its Thirty-Ninth Session, 1987-1988; Special Rapporteur for the Commission's draft articles on "The Law of the Non-Navigational Uses of International Watercourses" (1985-1991), adopted by the ILC on first reading in 1991, which formed the basis for the negotiation of the United Nations Convention on the Law of the Non-Navigational Uses of International Watercourses of 21 May 1997
Counselor on International Law, Office of the Legal Adviser, U.S. Department of State (1984-1985)
Counsel to Slovakia in the case concerning the *Gabčíkovo-Nagymaros Project (Hungary/Slovakia)* before the International Court of Justice (1993 - present)
Counsel to Nicaragua in the case concerning the *Dispute Regarding Navigational and Related Rights (Costa Rica v. Nicaragua)* before the International Court of Justice (2005 - 2009)
Counsel to India, Proceedings before Neutral Expert under the Indus Waters Treaty 1960, Difference regarding the Baglihar Hydro-electric Plant (2005-2006)
Counsel to Uruguay in the case concerning *Pulp Mills on the River Uruguay (Argentina v. Uruguay)* before the International Court of Justice (2008-2010)
Counsel to India, Indus Waters Kishenganga Arbitration (Pakistan v. India), Permanent Court of Arbitration (2010-2013)
Counsel to Nicaragua, *Certain Activities Carried Out by Nicaragua in the Border Area (Costa Rica v. Nicaragua)* before the International Court of Justice (2010 - 2015)
Counsel to Nicaragua, Case concerning *Construction of a Road in Costa Rica Along the San Juan River (Nicaragua v. Costa Rica)* before the International Court of Justice (2011 - 2015)

- Expert, retained by Ecuador to prepare an opinion in the arbitration between Ecuador and the United States under their Bilateral Investment Treaty, 2012
- Member, Implementation Committee, United Nations Economic Commission for Europe (UNECE) Convention on the Protection and Use of Transboundary Watercourses and International Lakes, elected by the Meeting of the Parties for a full (6-year) term on nomination by Switzerland, November, 2012
- Regional Governor, International Council of Environmental Law (ICEL), elected by ICEL members from North America, 2012 –
- Series Editor, International Water Law Series, Brill Nijhoff
- Faculty Chair (elected by faculty), University of the Pacific, McGeorge School of Law, 2006-2007
- Special Legal Adviser, Secretariat, North American Commission for Environmental Cooperation, North American Agreement on Environmental Cooperation (1995 - present)
- Counselor, and member of Executive Council, American Society of International Law, 2008 - 2010)
- Legal Adviser, Negotiating Committee of the Nile River Basin States (2003 - 2006), and to the Nile River Basin Council of Ministers (2006-2007)
- Legal and Institutional Consultant, Nile River Basin Cooperative Framework project, United Nations Development Program (UNDP) (September 1998 - December 2003)
- Legal Counsel, Nile Basin Initiative (2002-2003)
- External Adviser on Water Law, British Department for International Development & Adam Smith Institute project to assist the Palestinian Authority Negotiations Affairs Department (August, 1999 - 2011)
- Member, Committee on the Scientific Bases of Colorado River Basin Water Management, National Research Council, National Academy of Sciences, 2006-2007 (produced report, *Colorado River Basin Water Management: Evaluating and Adjusting to Hydroclimatic Variability*, National Academies Press, 2007)
- Member, Panel of Arbitrators Experienced in Environmental Law, established under the Optional Rules for Arbitration of Disputes Relating to Natural Resources and/or the Environment, Permanent Court of Arbitration, The Hague (2001 -)
- Member, Core Team, World Bank and Government of Netherlands International Waters Training Program (2001 -)
- Consultant, World Bank meetings on the Water Charter for the Senegal River, with representatives of Mali, Mauritania, Senegal and the Senegal River Basin Organization (OMVS) (Washington, April-May, 2002)
- Team Leader, British Department for International Development & Adam Smith Institute program of training and capacity building for the Government of Kyrgyzstan in the fields of international law and the law of international watercourses (May-October, 2002)
- Member, Scientific Committee, One Drop Foundation, (2007 -)
- Consultant, project concerning Sustainable Development of the Lake Victoria Basin, Swedish International Development Agency (sida) and East African Community (1999-2000)

Consultant to (past or present): UNDP; Adam Smith Institute; Office of the Legal Adviser, U.S. Department of State; World Conservation Union (IUCN); United Nations Environment Programme (UNEP); World Bank; Water and Energy Commission of Nepal, 1998 (as member of Panel appointed by the Commission); Ministry of External Affairs, India

Rapporteur, Committee on Transnational Enforcement of Environmental Law, International Law Association (1997-2002)

Visiting Professor of Law, University of California, Davis School of Law (King Hall), Spring Semester, 2003

Visiting Professor, Graduate Institute of International Studies, University of Geneva, Switzerland, May-June 1998 (course: International Environmental Law)

Visiting Professor, University of Fribourg, Switzerland, Faculty of Law, January-February 1994 (taught International Environmental Law [*Internationales Umweltschutzrecht*] in German)

Member, United States Delegation, Working Group of the Whole for the Elaboration of a Convention on the Law of the Non-Navigational Uses of International Watercourses, United Nations Headquarters, New York, 7-25 October 1996

ILC Liaison, ABA Section of International Law and Practice

Member, Deutsche Gesellschaft für Völkerrecht (German Association of International Law)

Member, Experts Group of Environmental Law, World Commission on Environment and Development (Brundtland Commission)

Member, Board of Advisers, International Institute for Environmental Studies and Disaster Management, People's Republic of Bangladesh (1988-89)

Past Member, Executive Council, American Society of International Law (ASIL) (completed term 1988)

Chair, ASIL Committee on the Hudson Medal (1993-94; 1997-98)

Member, ASIL Nominating Committee (1990-91); Committee on the Hudson Medal (1994-95); Organizing Committee for 1998 Annual Meeting

Member, ASIL Panel on State Responsibility; ASIL Study Group on International Environmental Law

Member, Steering Committee of Experts, Forum on International Law of the Environment, Group of Seven Industrialized Countries, Siena, Italy, April 1990, and Chair of Working Group I of the Forum

Member, Group of Senior Legal Experts on the Revision of the Montevideo Programme for the Development and Periodic Review of Environmental Law, United Nations Environment Programme (UNEP)

Member, Commission on Environmental Law, International Union for the Conservation of Nature and Natural Resources (IUCN)

Member and Rapporteur, Working Group on a Draft International Covenant on Environment and Development, IUCN Commission on Environmental Law & International Council of Environmental Law; Member, Steering Committee of Working Group

Co-Chair, Committee on International Environmental Law, ABA Section of International Law (1992-93)

Chair, Sub-Group on the Work of the International Law Commission Relating to State Responsibility, Panel on State Responsibility, American Society of International Law
Member, Advisory Board, LL.M. Program in International Legal Studies, Golden Gate University School of Law

Listed in: *Who's Who in Service to the Earth*; *Who's Who Environmental Registry*
Member, Advisory Board, *Austrian Journal of Public and International Law* (until 1996); *Austrian Review of International and European Law* (1996 -)

Member, Board of Advisors, *Environmental Policy and Law*

Member, Scientific Committee, International Association for Water Law

Member, International Advisory Board, *The Transnational Lawyer*

Member, Board of Directors, *Berkeley Journal of International Law* (1996 -)

Member, Board of Editors, *American Journal of International Law* (1993-1998)

Member, S.J.D. Advisory Committee, Golden Gate University School of Law 1996-)

Former Chair, Committee on International Environmental Law, American Branch, International Law Association

Past Member, Executive Committee, International Law Section, California State Bar (completed term 1991)

Former Associate Editor, *California International Law Section Newsletter*

Past Member, Council, Section of International Law and Practice, American Bar Association (ABA) (completed term 1987)

Former Chair, International Courts Committee, ABA Section of International Law and Practice

Former Chair, Committee on Private International Law, ABA Section of International Law and Practice (1977-1981)

Education

B.A. (History), 1967, University of Colorado

J.D., 1971, University of California, Berkeley (Boalt Hall)

(Founding Member of Board of Editors, *Ecology Law Quarterly*)

Dr. iur., 1974 (magna cum laude), University of Cologne, Germany

Fellowships, Honors and Awards

Stockholm Water Prize Laureate, 2017

Order of the Dual White Cross, Republic of Slovakia (highest distinction awarded by Slovakia to foreign nationals), presented October 9, 2007

Holder of the 2007 Merv Leitch, Q.C. Memorial Visiting Chair, University of Calgary Faculty of Law and University of Alberta Faculty of Law; 2007 Merv Leitch, Q.C. Memorial Lecture, "International Water Law and Management for the 21st Century"

Certificate of Merit for High Technical Craftsmanship, American Society of International Law, 2002 (for *The Law of International Watercourses, Non-Navigational Uses*, Oxford University Press 2001)

Best Paper Published in *Water International* in 2007, for “The Jordan River Basin: Part 2: Potential Future Allocations to the Co-riparians,” co-authored with David J. H. Phillips, Shaddad Attili, and John S. Murray. The prize is shared with Mark Zeitoun, for “The Conflict vs. Cooperation Paradox: Fighting Over or Sharing of Palestinian-Israeli Groundwater?”

Speaker, McGeorge Distinguished Speakers Series, 2000-2001, November 2, 2000 (“Negotiating Water: Lessons from Palestine and the Nile”)

Myres S. McDougal Lecturer, University of Denver College of Law, February 27, 1999 (“Water, Water Everywhere, But Too Few Drops to Drink: The Coming Fresh Water Crisis & International Environmental Law”)

Distinguished Faculty Award, University of the Pacific, 1996

Research Fellow, Alexander von Humboldt Foundation, January, 1983 - July, 1984 (worked at the Environmental Law Centre of the International Union for the Conservation of Nature and Natural Resources (IUCN), Bonn, Germany, and at the University of Cologne)

Research Fellow, Max Planck Association, January-December, 1972 (worked at Max Planck Institute for Private International and Comparative Law, Hamburg, Germany)

Selected Publications (full list contained in separate document)

Books and Monographs

The Law of International Watercourses, Oxford University Press, 2nd ed. 2007 (1st ed. awarded Certificate of Merit for High Technical Craftsmanship, 2002, by the American Society of International Law)

Understanding International Law, LexisNexis Publishers, 2nd ed. 2015

International Law for the Environment, with Edith Brown Weiss, Daniel B. Magraw, Stephanie Tai and A. Dan Tarlock, West, 2016

International Environmental Law and Policy, with Edith Brown Weiss, Daniel B. Magraw and A. Dan Tarlock, Aspen, 2nd ed., 2007

Global Issues in Environmental Law, with Rachael Salcido, West, 2009

Transnational Litigation in Comparative Perspective: Theory and Application, with Thomas O. Main, Oxford University Press, 2010

Public International Law: Cases, Problems, and Texts, with Dinah Shelton and John Cerone, Lexis Nexis Publishers, 2010

Bridges Over Water: Understanding Transboundary Water Conflict, Negotiation and Cooperation, with

Ariel Dinar (economist, The World Bank and Johns Hopkins University), Shlomi Dinar (political scientist, Florida International University) & Daene McKinney (engineer, University of Texas-Austin), World Scientific Publishing, 2007

Guidebook for Policy and Legislative Development on Conservation and Sustainable Use of Freshwater Resources, with Gregory S. Weber, United Nations Environment Programme, 2004

Negotiator's Handbook on International Freshwater Agreements, United Nations Environment Programme, 2005

Environmental Pollution and Individual Rights: An International Symposium, co-edited with Robert Lutz, Kluwer, 1978

Private Remedies for Transfrontier Environmental Disturbances, IUCN Environmental Policy and Law Paper No. 8, International Union for the Conservation of Nature and Natural Resources, Morges, Switzerland, 1975

Pollution Suits between Citizens of the Republic of Mexico and the United States: A Study in Private International Law (Ansprüche aus Immissionen über die Grenze zwischen Mexico und den USA im internationalen Privatrecht), 14 Berkeley-Kölner Rechtsstudien (Berkeley-Cologne Legal Studies), C.F. Müller, 1976 (doctoral dissertation)

Seven reports to the U.N. International Law Commission on the Law of the Non-Navigational Uses of International Watercourses, 1985-1991

Other Publications

Numerous articles, chapters and other works. List available on request.

Foreign Languages

German (speaking, reading and some writing ability); French (reading and some speaking ability); and Spanish (basic working knowledge)

Memberships (partial list)

American Society of International Law
Deutsche Gesellschaft für Völkerrecht (German Association of International Law)
International Council of Environmental Law
International Law Association
California State Bar Association (Inactive)
Section of International Law and Practice, American Bar Association
Sierra Club