

**Duke-Yale Foreign Relations Law Roundtable**  
***Exiting International Agreements***  
**Saturday, October 28, 2017**  
**Room 3000, Duke Law School**

*Friday, October 27*

6:15 pm *Shuttle departs from hotel entrance for dinner*

6:30 pm *Informal dinner for participants*  
[Mothers & Sons Trattoria](#)

*Saturday, October 28*

8:30 – 9:00 am *Continental Breakfast*  
Room 3000, Duke Law School

9:00 – 10:00 am ***Session I: The International Law Backdrop of Treaty Exit***

Sue Biniaz, *U.S. Intent to Withdraw from the Paris Agreement:  
A Round-up of Interesting Legal Issues that Either Arose or  
Might Have Arisen*

Dan Bodansky, *The Legal Effects of Ultra Vires Treaty  
Termination or Withdrawal*

Monica Hakimi, *Democracy, Dualism, and International Law*

Larry Helfer, *Treaty Exit and Inter-Branch Conflict at the  
Interface of International and Domestic Law*

Commentator: Harold Koh

10:00 – 10:15 am *Coffee Break*

10:15 – 11:15 am ***Session II: Methodology and Treaty Exit: Originalism,  
Historical Practice, and Functionalism***

Daniel Abebe, *Treaty Termination and Institutional Design*

Duncan Hollis, *Perpetual Treaties? Implications of the Treaty's  
Original Meaning for Treaty Terminations*

Chimène Keitner, *Breaking International Promises*

Mike Mattler, *Observations on the Power to Terminate or  
Withdraw from Treaties and Other International  
Agreements*

Sai Prakash, *Exiting International Agreements: An Originalist-  
Formalist Perspective*

Commentator: Oona Hathaway

11:15 – 11:30 am *Coffee Break*

11:30 am – 12:30 pm ***Session III: Terminating Trade and Other Congressional-Executive Agreements***

Curt Bradley, *Exiting Congressional-Executive Agreements*  
Ganesh Sitaraman & Tim Meyer, *Terminating Trade Agreements*  
Joel Trachtman, *Power to Terminate U.S. Trade Agreements: The Presidential Dormant Commerce Clause versus an Historical Gloss Half Empty*

Commentator: Monica Hakimi

12:30 – 1:30 pm *Lunch*  
Room 3000, Duke Law School

1:30 – 1:45 pm *Group Photo*

1:45 – 2:45 pm ***Session IV: Political, Regulatory, and Reputational Constraints on Withdrawal***

Anu Bradford, *The Brussels Effect: The European Union’s Ability to Mitigate the Effects of a Treaty Withdrawal*  
Rachel Brewster, *The Reputational Effects of Exit: Cooperation and Fairness*  
Jean Galbraith, *The President’s Power to Withdraw the United States from International Agreements at Present and in the Future*  
Harold Koh, *The Trump Administration and International Law*

Commentator: Ed Swaine

2:45 – 3:00 pm *Coffee Break*

3:00 – 4:00 pm ***Session V: Congressional Regulation of Termination***

Kristen Eichensehr, *“For Cause” Restrictions on Treaty Termination*  
Oona Hathaway, *Congressional Power to Restrain Presidential Withdrawal from International Agreements*  
Ed Swaine, *Agreement Termination as a Delegation Problem*

Commentator: Curt Bradley

6:15 pm *Shuttle departs from hotel entrance for dinner*

6:30 pm *Reception and dinner for participants*  
[Nana’s Restaurant](#)