

BETSY BAKER

Vermont Law School
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CURRENT POSITION

Vermont Law School, South Royalton, Vermont

Associate Professor teaching property, comparative law, public international law, international organizations (law of the Arctic, law of the sea) and international environmental law. Current research includes Canadian-U.S. cooperation in the Arctic; continental shelf mapping and ocean access for marine scientific research; Inupiat-Inuvialuit participation in resource management; and comparative regulatory regimes for offshore oil and gas activity.

Senior Research Fellow for Energy and Oceans, Vermont Law School Institute for Energy and the Environment, 2009-present; faculty lead for Resource Extraction Team

PREVIOUS POSITIONS

Harvard Law School, Cambridge, Massachusetts

2003-2006 Lecturer on Law and Assistant Dean for the Graduate Program, teaching law of the sea

Akademie der Wissenschaften/Academy of Sciences, HDHS, Heidelberg, Germany

2001 - 2003 Legal historian, focusing on early maritime law and medieval mining codes

Consultant and Researcher (simultaneous to completion of Kiel doctoral dissertation), Heidelberg; London

1996 - 2003 *Max Planck Institute for Comparative Public & Int'l Law; The Thomson Corp.*

Honorable John T. Noonan, Jr., U.S. Court of Appeals for the Ninth Circuit, San Francisco

August 1995 - July 1996 Law Clerk to Judge Noonan

Bruckhaus Westrick Stegemann--Rechtsanwälte, Frankfurt, Germany

November 1994 - April 1995 Visiting Foreign Lawyer, Environmental Law Department

University of Minnesota Law School, Minneapolis, Minnesota (1985-1994)

-1985 - 1994 Assistant/Associate Dean; lecturer (on leave 1991-93)

Institut für Internationales Recht -- Christian-Albrechts-Universität zu Kiel, Germany

1991 - 1993 Research Fellow; LL.M. candidate

Gray, Plant, Mooty, Mooty & Bennett, P.A., Minneapolis, Minnesota

1981 - 1994 Law Firm Associate until 1985, then Of Counsel

EDUCATION

Christian-Albrechts-Universität, Kiel, Germany	Dr. jur. 2000 LL.M. 1994
University of Michigan Law School, Ann Arbor, Michigan	J.D. 1982
Northwestern University, Evanston, Illinois	B.A. History 1978

SELECTED FELLOWSHIPS, GRANTS, AWARDS

-Dartmouth College, Institute of Arctic Studies

Visiting Fellow 2009-2010, John Sloan Dickey Center for Int'l Understanding, Hanover, NH

-Vermont Law School Summer Faculty Research Grants (2) – June to September 2009, and 2008, for research in the Arctic Ocean aboard the icebreaker USCGC HEALY, mapping the US extended continental shelf. See, e.g., <http://arctic-healy-baker-2008.blogspot.com/>

-Henry H. Huntington Library, Chandis Security Fellow, March - May 1998, Dissertation research at the Huntington library in San Marino, CA

-Alexander von Humboldt Foundation, Bundeskanzler Scholar 1991 - 1992, one of ten "Chancellor's Scholars" http://www.avh.de/en/programme/stip_aus/buka.htm

-American Society of International Law/Academic Council on the UN, Workshop on International Organization Studies, July 12-24, 1992, Dartmouth College, Hanover, NH

-Northwestern University, Three year B.A. honors program; Alpha Lambda Delta womens academic honor society, 1976-1978, Evanston, IL

PUBLICATIONS

Books:

Published

Betsy [Baker] Röben, JOHANN CASPAR BLUNTSCHLI, FRANCIS LIEBER UND DAS MODERNE VÖLKERRECHT 1861-1881, Nomos Press, Baden-Baden 2003, with English summary: Johann Caspar Bluntschli, Francis Lieber and Modern International Law, 1861-1881.

In progress

Arctic Dreams? The Promise of International Law, An American View, with Rebecca Bratspies and Austen Parrish

Articles, Chapters, Abstracts

Forthcoming articles

Oil, Gas, and the Arctic Continental Shelf: What Conflict? in Oil, Gas & Energy Law Journal, Arctic Special Issue, October 2011, publication expected December 2011

Forthcoming articles, cont'd.

Polar Science in the North and South: Tailoring Lessons from Antarctica to Improve Reliability of Legal Access for Marine Scientific Research to the Arctic Ocean, in D. König, H. Hestermeyer et al., eds., *Coexistence, Cooperation and Solidarity - Liber Amicorum Rüdiger Wolfrum*, Martinus Nijhoff, publication expected December 2011

“Rethinking the Importance of National Law for Natural Resource Development in the North American Arctic: Some Examples from the U.S. and Canada,” chapter in: M. Nuttal, ed., *Canada’s and Europe’s Northern Dimensions*, CCI PRESS-Canadian Circumpolar Institute, University of Alberta, publication expected Spring 2012

Common Precepts of Marine Scientific Research Access in the Arctic, in: *Arctic Marine Science, International Law and Climate Protection* (working title), Max Planck Institute for Comparative Law and Public International Law, Schwarze Reihe, Springer Verlag, publication expected Spring 2012

Uncommon Heritage: Elisabeth Mann Borgese, *Pacem in Maribus*, the International Ocean Institute and preparations for UNCLOS III, 26 *Ocean Yearbook* (2011), publication expected Spring 2012

“International Law and the Arctic: How Territoriality, Human Rights and the Environment can Shape Sovereignty,” in Robert W. Murray and Anita Dey Nuttal, eds. *International Security and the Arctic: Examining the Theories and Policies of Circumpolar Politics*, Cambria Press, publication expected Spring 2012

The Legal Status of Sea Ice, with Sarah Mooney, in A. Lovecraft, ed., 35 *Polar Geography* (2012), publication expected Spring 2012

High-Risk Activity in Shared Waters: Harmonizing Offshore Oil and Gas Regulation in Canada and the United States, 4 *Yearbook of Polar Law* (2011), publication expected Spring 2012

Combating Treaty Congestion with Regional Cooperation for safer Offshore Oil and Gas Activity in the Arctic Ocean, 53 *German Yearbook of International Law* (2011), publication expected Spring 2012

“Who needs Legal Personality? Engaging States and Non-States in Circumpolar Governance,” in S. Ali and B. Pincus, eds., *Polar Diplomacy*, Yale University Press, publication expected Summer 2012

Published articles

[Law, Science and the Continental Shelf: The Russian Federation and the Promise of Arctic Cooperation](#), in 25 *American University International Law Review* 251 (2010)

Cooperation, not Conflict: "Will the economic and geopolitical benefits of the Arctic meltdown outweigh its harmful effects on the Arctic's ecosystem and indigenous cultures and on world climate and ocean circulation?," *Enduring Questions Essays Series*, ABC-CLIO Publications, Fall 2010

[Filling an Arctic Gap: Legal and Regulatory Possibilities for Canadian-U.S. Cooperation in the Beaufort Sea](#), in 34 *Vermont Law Review* 57 (2009)

The Precedential Judge Manley O. Hudson : Rivers, Oceans and Equity, in: R. Bratspies / R. Miller (eds), *PROGRESS IN INTERNATIONAL LAW*, Nijhoff 2008, 451-472

“States Parties and the Commission on the Limits of the Continental Shelf” in: *LIBER AMICORUM JUDGE THOMAS A. MENSAH: LAW OF THE SEA, PROTECTION OF THE MARINE ENVIRONMENT AND SETTLEMENT OF DISPUTES*, R. Wolfrum / T. Malik Ndiaye (eds), Nijhoff 2007, 669-686

“ ‘Civilized Nations’ in the Work of Johann Caspar Bluntschli” in: *POLITISCHES DENKEN IM 17. UND 18. JAHRHUNDERT*, R. Reuter/ M. Kremer (Hrsg.), Kohlhammer 2007, 343-359

“Environmental Liability Legislation in the United States,” in *ENVIRONMENTAL LIABILITY IN INTERNATIONAL LAW: TOWARDS A COHERENT CONCEPTION, BERICHT DES BUNDESUMWELTAMTES (REPORTS OF THE GERMAN FEDERAL ENVIRONMENT AGENCY)*, (C. Langenfeld, R. Wolfrum (eds), vol. 2/05, Erich Schmidt Verlag Berlin 2005

The New Partnership for African Economic Development, 63 *ZaöRV/Heidelberg Journal of International Law* 1063 (2003)

“International Law and the Institutions for Financing Sustainable Development after the Johannesburg Summit of 2002”, with Volker Röben, in U. Beyerlin (ed.), 63 *ZaöRV /Heidelberg Journal of International Law* 551 (2003)

“The Method behind Bluntschli’s ‘Modern’ International Law”, 4 *Journal of the History of International Law* 249 (2002)

“Judge Shigeru Oda and the Making of International Law”, in *LIBER AMICORUM FOR JUDGE SHIGERU ODA*, (N. Ando, R. Wolfrum, E. McWhinney eds. 2002), *Kluwer Law International*, 213

“Protection of Global Atmospheric Components,” “International Freshwaters,” “National Enforcement of Global Atmospheric Treaties,” and “Civil Liability as a Control Mechanism for Environmental Protection at the International Level,” four chapters in *INTERNATIONAL, REGIONAL AND NATIONAL ENVIRONMENTAL LAW* (F. Morrison, R. Wolfrum eds. 2000) *Kluwer Law International*, 201, 285, 603 and 821

„US-Amerikanisches Umwelthaftungsrecht“ [US environmental liability law], in *UMWELTSCHUTZ DURCH INTERNATIONALES HAFTUNGSRECHT, FORSCHUNGSBERICHT IM AUFTRAG DES UMWELTBUNDESAMTES, BAND 7/98*, Erich Schmidt Verlag Berlin (C. Langenfeld, R. Wolfrum eds. 1999)

“Environmental Liability Legislation in the United States”, in *ENVIRONMENTAL PROTECTION BY MEANS OF INTERNATIONAL LIABILITY LAW, BERICHT DES BUNDESUMWELTAMTES (REPORTS OF THE GERMAN FEDERAL ENVIRONMENT AGENCY)*, vol. 6/99, Erich Schmidt Verlag Berlin (C. Langenfeld, R. Wolfrum eds. 1999), 261

Protection, Not Protectionism: Multilateral Environmental Agreements and the GATT, 26 *Vanderbilt J. Transnat'l L.* 437 (1993)

(with Volker Röben) To Abduct or To Extradite: Does a Treaty Beg the Question? The Alvarez-Machain Decision in U.S. Domestic Law and International Law, 53 *Zeitschrift für ausländisches öffentliches Recht und Völkerrecht/Heidelberg Journal of International Law* 657 (1993), cited by the German Constitutional Court (3. Kammer des 2. Senats), Ent. v. 19.10.1994 - 2BvR 435/87

Legal Protections for the Environment in Times of Armed Conflict, 33 *Va. J. Int'l L.* 352 (1993)

Eliciting Non-Party Compliance with Multilateral Environmental Treaties: U.S. Legislation and the Jurisdictional Bases for Compliance Incentives in the Montreal Ozone Protocol, 35 *Germ. Y.B. Int'l L.* 333 (1992)

Minding the Earth: Global Standards and Domestic Law, 49 *Bench & Bar. Minn.*, May-June 14 (1992)

Constructing Justice: Theories of the Subject in Law and Literature, 75 *Minn. L. Rev.* 581 (1991)

Book Reviews, Editorial Work, Shorter Pieces

EPIL: "The Hague Peace Conferences" and "Regional Seas," two entries in R. Bernhardt, R. Wolfrum / Max-Planck-Institute for Comparative and Public International Law (eds), [ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW](#) (Elsevier Science Ltd), 2010

Review of Syma Ebbin, *SEA CHANGE: THE EEZ AND GOVERNANCE INSTITUTIONS FOR LIVING MARINE RESOURCES*, in: 15 *Ocean and Coastal Law Journal* (2010) 161-166

Review of Yoshifumi Tanaka, *A DUAL APPROACH TO OCEAN GOVERNANCE: THE CASES OF ZONAL AND INTEGRATED MANAGEMENT IN INTERNATIONAL LAW OF THE SEA*, in: 14 *Ocean and Coastal Law Journal* (2008) 147-154

Book Review: Ernst-Wolfgang Böckenförde, *GESCHICHTE DER RECHTS- UND STAATSPHILOSOPHIE ANTIKE UND MITTELALTER*, Mohr Siebeck 2002, in 3 *German Law Journal*, No. 12 - December 2002, <http://www.germanlawjournal.com/print.php?id=234>

Editor for Legal Culture, www.germanlawjournal.com, an English language online journal on legal developments in German, international and European law

Assistant General Editor, *LIBER AMICORUM FOR JUDGE SHIGERU ODA*, (N. Ando, R. Wolfrum, E. McWhinney, eds. 2002), Kluwer Law International, 2 volumes

"Transboundary Environmental Cooperation. Prior Information/ Consultation/Environmental Impact Assessment," in: G. Händl (ed. 1996)/J. Brunnée & E. Hey (eds. 1997-2002), *Yearbook of International Environmental Law*, volumes 6, 7, 8, 9, 10, 11, 12, 13, Oxford 1996-2002

"Liberating Taiwan: Peaceful Offensive or Armed Might" (with Kong Qingjiang), *Harvard Asian Law Journal* 2000, 32-35 <http://www.fas.harvard.edu/~asiactr/haq/200004/0004a006.htm>

Shorter pieces:

- United Nations Volunteers, note for UNITED NATIONS HANDBOOK (R. Wolfrum ed. 1995)
- NAFTA and Freshwater, *U.S. Water News*, October 1994
- Book review, *THE EFFECTIVENESS OF INTERNATIONAL ENVIRONMENTAL AGREEMENTS* (P. Sand ed. 1992), 87 *Am.J.Int'l L.* 198 (1994)
- Book review, Frederic L. Kirgis, Jr., *INTERNATIONAL ORGANIZATIONS IN THEIR LEGAL SETTING*, 2d ed. (1993), in 1 *Soc. Int'l L. Interest Group on Int'l Organizations* (1994)
- Assistant Editor, volumes 34 (1992) and 35 (1993), *German Yearbook of International Law*

White Papers

B. Baker, L. Champion, B. Jones, C. Peterson, R. Sidortsov, Z. Zhang, *Implementing the Arctic Offshore Oil and Gas Guidelines in the Greenland and the Russian Federation*, *Vermont Law*

School, Institute for Energy and the Environment, White Paper No. 5, February 2011, available at <http://www.vermontlaw.edu/x12038.xml>

B. Baker, L. Champion, K. Sedlacek, J. Garcia Lomas-Gago, Z. Zhang, Implementing the Arctic Offshore Oil and Gas Guidelines in the United States and Canada, Vermont Law School, Institute for Energy and the Environment, White Papers Nos. 1-4, August-September 2010, available at www.vermontlaw.edu/Documents/IEE/20110215_IEEBakerWP5.pdf

Marine Research Access in the Arctic Ocean: Background for Potential Guidelines in a Changing Arctic, with Hajo Eicken, unpublished White Paper available at <http://www.iarc.uaf.edu/workshops/2009/4/> (click on "download whitepaper")

TRADITIONAL AND WEB-BASED MEDIA

Arctic Mapping and the Law of the Sea weblog, An ongoing look at the law-science interface in shaping arctic policy, the mapping of the arctic continental shelf and the development of norms for effective governance of the Arctic and its natural resources. <http://arctic-healy-baker-2008.blogspot.com/>

Interview, KTUU Evening News, Channel 13, August 17, 2011, Anchorage, AK

Interview, Alaska News Nightly, Alaska Public Radio, [August 16, 2011](#), Anchorage, AK

M. Griggs, "Who Owns the North Pole?" *Popular Mechanics*, June 14, 2011, <<http://www.popularmechanics.com/science/energy/coal-oil-gas/who-owns-the-north-pole>>

Guest Blogger, "International law and the new U.S. Ocean Policy," *Intlawgrrls*, August 25, 2010 <<http://intlawgrrls.blogspot.com/2010/08/international-law-new-us-ocean-policy.html>>

"Betsy Baker on a new Arctic Project," Vermont Public Radio/Morning Edition, October 12, 2009, <http://www.vpr.net/news_detail/86077/>

Work Together on Arctic Sovereignty Disputes, *Canadian Broadcasting Corporation*, March 10, 2009, <<http://www.cbc.ca/canada/north/story/2009/03/10/cda-us-arctic.html>>

J. Gamble, "Drawing Lines in the Sea: Nations Stake Claims on Arctic Ocean Riches," *Scientific American*, November 2008, <<http://www.sciam.com/article.cfm?id=drawing-lines-in-the-sea>, and <http://www.scientificamerican.com/article.cfm?id=polar-meltdown-triggers-landgrab>>, Special Edition, Earth 3.0, March 2009

"Arctic Mapping," Vermont Public Radio/Morning Edition, September 22, 2008, <http://www.vpr.net/news_detail/82171/>

"East Germany's Reckoning with the Past," *Wall Street Journal Europe*, 10 November 1999

REPRESENTATIVE PRESENTATIONS 2009-2011

Presentations to governance bodies and diplomatic conferences

“Offshore Oil and Gas: Opportunities and options to strengthen relevant Agreements,” Arctic Council, Protection of the Marine Environment (PAME)/[Arctic Ocean Review](#) Phase II Expert Workshop, September 20, 2011, Reykjavik, Iceland

“Common Precepts of Marine Scientific Research in the Arctic,” invitation only presentation to the International Conference on Arctic Marine Science, International Law and Climate Protection, 17-18 March 2011, Federal Foreign Office, Berlin, Germany

“Implementing the PAME Arctic Offshore Oil and Gas Guidelines in Canada, Greenland, Russia and the United States,” invitation only presentation to the [Inuit Leaders Summit on Resource Development](#), hosted by the Inuit Circumpolar Council, 23 February 2011, Ottawa, Ontario

“Relevant Science Agreements - Existing and Emerging Issues,” for Arctic Council, Protection of the Marine Environment (PAME)/[Arctic Ocean Review](#) Phase I Expert Workshop, Panel: Status of the Arctic Marine Environment and Emerging Trends, September 13, 2010, Washington, DC (Host: U.S. Government)

U.S. Arctic Research Commission to report on the September 21, 2009, workshop referenced below, “[International scientific collaboration and legal regimes in a changing Arctic Ocean](#)” and on plans for a white paper on Arctic Ocean access for scientific research with workshop collaborators, November 11, 2009, Cambridge, MA

Canadian Senate Standing Committee on Fisheries and Oceans, on “Northern Challenges facing Canada and the United States,” June 16, 2009, Senate of Canada, Ottawa, Canada

Academic Presentations

Association of American Law Schools, 2012 Annual Meeting, Joint Session with “North American Cooperation” and “International Law” sections, Panel on Arctic Issues, topic: Mapping of the Extended Continental Shelf under the Law of the Sea Convention, January 5, 2012, Washington, D.C. (scheduled)

Harmonizing Offshore Oil and Gas Regulation in the Arctic,” Fourth Polar Law Symposium, September 9, 2011 (in absentia), Nuuk, Greenland

“Regulating Offshore Oil and Gas Activity Around the Arctic,” University of Alaska Anchorage, Institute of Economic and Social Research, August 17, 2011, Anchorage, AK

“Regulating Offshore Hydrocarbon Activity in Canada and the U.S.: Room for Convergence?,” for Institute of the North’s Week of the Arctic, August 16, 2011, Anchorage, AK

“The Legal Status of Sea Ice: An Update in the face of (climate) change,” VIIth Annual Congress of Arctic Social Scientists, IASSA, 24 June 2011, Akureyri, Iceland

“Alaska, Offshore Energy and Marine and Coastal Area Management,” at Vermont Law School Conference, Coastal and Marine Spatial Planning: The Intersection between Energy, CMSP, and Our Future Needs, April 1, 2011, South Royalton, VT

“Improving Coordination with the International Community,” panelist and moderator for the workshop: Strengthening Institutions: Strategies for Cooperative, Ecosystem-based Management

in the Beaufort and Chukchi Seas, co-sponsored by the University of Alaska, Anchorage and Fairbanks campuses, 4-6 March 2011, Anchorage, AK

“Implementing the PAME Arctic Offshore Oil and Gas Guidelines in Canada, Greenland, Russia and the United States,” invitation only presentation to the Inuit Leaders Summit on Resource Development, hosted by the Inuit Circumpolar Council, 23 February 2011, Ottawa, Ontario

“Lessons from the U.S. and the Arctic Council: Drilling in the Arctic after the BP Deepwater Horizon Blowout Spill,” Canadian Council on International Law, 30 October 2010, Ottawa, Ontario

“Implementation of the Arctic Offshore Guidelines in Canada and the United States,” for Arctic Council, bi-annual meeting of diplomatic delegations to the Protection of the Marine Environment (PAME) Working Group, Panel: Followup on the 2009 Arctic Offshore Oil and Gas Guidelines, September 14, 2010, Consortium for Ocean Leadership, Washington, DC

“US-Canadian cooperation in the North American Arctic: Oil, Gas and Environment,” (working title), Woodrow Wilson Center - Friedrich Ebert Stiftung, Governing the North policy briefings, September 21-22, 2010, Washington, DC and Ottawa, Ontario

“Rethinking the Importance of National Law for Natural Resource Development in the North American Arctic: Some Examples from the U.S. and Canada,” [Canada’s and Europe’s Northern Dimensions](#), May 27, 2010, Edmonton, Alberta, Canada

[Arctic Governance Project Summit](#), Rapporteur and participant, January 29-31, 2010, Tromsø, Norway

“Comparing Canadian Inuvialuit and Alaskan Inupiat participation in managing marine resources,” paper presented at [Arctic Frontiers](#), January 28, 2010, Tromsø, Norway

Member of Science Crew on the icebreaker USCGC HEALY, August 16-September 7, 2009 (HEALY 09-05) deployment, mapping the US Extended Continental Shelf, Arctic Ocean

State Sovereignty and the Commission on the Limits of the Continental Shelf, Invited Speaker, 3rd Symposium on the Impacts of an Ice-Diminishing Arctic on Naval and Maritime Operations, June 9-11, 2009, U.S. Naval Academy, Annapolis, MD

Canadian-US Cooperation in the Beaufort Sea and Arctic Continental Shelf Mapping, Presentations to Canadian diplomatic and press corps with Michael Byers and Ron Macnab, and to the Nunavut Government, February 17-19, 2009, Ottawa, Ontario and Iqaluit, Nunavut

“Science-driven cooperation and policy: Addressing Canadian/US diplomatic concerns in the Arctic“ (talk), Session T12: The Law and Politics of Canadian Jurisdiction on the Arctic Ocean Seabed, Arctic Change 2008 Conference, <<http://www.arctic-change2008.com/>> in conjunction with the International Polar Year, December 10, 2008, Quebec City, Quebec

Member of Science Crew on the icebreaker USCGC HEALY, August 14-September 5, 2008 (HEALY 08-05) and August-September 2009 (HLY 08-09), mapping the US Extended Continental Shelf, Arctic Ocean

For a complete list of presentations, including those before 2009, please contact bbaker@vermontlaw.edu

American Friends of the Alexander von Humboldt Foundation
American Geophysical Union
American Society of Comparative Law
American Society of International Law
Association of American Law Schools, Executive Committee, Section on North American Cooperation
Bar Admissions: Minnesota 1982; U.S. District Court (Minn.) 1983

University of Alaska, Department of Geography, Affiliated Professor of Arctic Law and Policy
University of the Arctic, Arctic Law Thematic Network, Chair - Oil and Gas Working Group
University of Vermont, James M. Jeffords Center, Institute for Environmental Diplomacy and Security,
External Advisory Board

Languages: English mother tongue, fluent German, functional French. U.S. citizen. September 2011